Klu Kinx Klan - 1936

Alabama.

After Flogging

JOSEPH S. GELDERS

Gelders Arrives, Still In Bandages

Governor Tells Victim Of Floggers State's Best Detectives Are On Case

Declaring that every force and agency at his command was and would continue to be pledged to the bringing to justice of the kidnap-assailants of Joseph S. Gelders, secretary of the National Committee for the Defense of Political Prisoners, and that city and county officers were bending every energy towards that same end, Gov. Graves said yesterday:

"The best detective talent in Alabama is at work on this case and we are going to clear it up. The matter is now in their hands and I am confident of their ability to get results."

The statement was made by the chief executive following conferences in his office at the Capitol beginning at 11 a.m., continuing for more than three hours, with Gelders himself, and later with officers of the State Highway Patrol, the Jefferson County sheriff's department, and the Birmingham police department, Gelders also participating in the latter discussion. No details concerning the conference were made public.

Though the Governor had indicated Friday that Federal officers would also be present, there were none in attendance at the second conference yesterday. He was silent on the subject of whether agents of the Federal Bureau of Investigation were interested in and working on the case. His statement that "the best detective talent in Alabama" is at work on it, is a broad one, however, and could readily include agents of the F. B. I., which maintains an office in Birmingham. It is the custom of the G-men to make no information public concerning an investigation it was recalled to one official yesterday, until they "have their man."

Tall, slender and neatly dressed, Gelders whose head was still bandaged and who has not yet recovered from the beating administered to him by his abductors last Wednesday night, left the Clanton hospital yesterday morning where he had been under treatment, against the advice of his physician, to come here to talk to Gov. Graves. He told the Governor he planned to spend "the turn of the week" at the home of his father-in-law, Bernard Frank, in Montgomery. His safety while here is being looked after by officials of the Highway Patrol.

Officers attending the conference with the Governor yesterday included Chief Walter K. McAdory and Capt. Potter Smith, of the State Highway Patrol; Chief of Detectives G. C. Giles and Detectives E. L. Payne and McCoy Helton, of Birmingham; also Deputies Sheriff Sam Arnett and H. C. Peavler, of Jefferson County.

Gelders said while waiting to talk with Gov. Graves, that he was not suffering any more pain from his injuries, but that a heavy cough developed. There was evidence in addition to his bandaged head, however, of the blows he had received about the head and face, both eyes being blackened and swollen, the left eye still inflamed. Kidnaped on a Birmingham street by his unknown attackers and placed in an automobile, he was beaten and kicked repeatedly by them and practically all his clothes stripped from his body, before he was thrown from the car by the side of a road near Stanton in Chilton County.

The former University of Alabama instructor told reporters he planned to return to Birmingham to resume activities to obtain the release from jail at Bessemer, of Jack Barton, communist secretary, who is serving a 180-day sentence for possessing communist literature. According to Gelders, bond was offered by Barton, but approval of it was refused by authorities at Bessemer on the ground that the bond concern issuing it was not licensed there.

Release of Barton on parole pending appeal will be sought by a delegation which will shortly call upon Bessemer's mayor, he said. It is his intention to be a member of the delegation, Gelders indicated.

G-Men To Help Find Trio That Flogged Gelders

Governor To Confer With Investigating Officers At Capitol This Morning

$200 For Capture

Federal Operatives Drawn Into Case By Kidnaping That Preceded Beating

At a conference to be held in his office at the Capitol today at 11 a.m. with representatives of the State Highway Patrol, the offices of the chief of police of Birmingham, the sheriff of Jefferson County, and Federal authorities, Gov. Graves will discuss and map out a four-way search for the kidnap-floggers of Joseph S. Gelders, former instructor at the University of Alabama, who was beaten and left beside a public road Wednesday morning near Stanton, in Chilton County.

The chief executive said it was probable Gelders would also be present; that he had asked in a long distance telephone conversation, to talk with him personally, had been told of the conference arranged for this morning and invited to be present, and had advised he would be if by then he had sufficiently recovered from the severe beating to which he was subjected, to make the trip to Montgomery.

Announcement by the governor of the law enforcing agencies to be represented at the meeting, was the first indication that had been given that Federal investigators were also at work on the case. Their participation, it is understood, is on the basis of the kidnaping angle involved. All of the representatives attending, it was learned, would be officers or agents assigned to the hunt for Gelders's assailants.

Authorizing payment by the State of a reward of $200 for the arrest and conviction of the attackers of the former University instructor who ascribes the assault made upon him to his activities as secretary of the national committee for the defense of political prisoners, Gov. Graves yesterday reiterated his declaration of the day before that he intended to "go to the very bottom of this thing" and to use every resource at his command to bring those guilty of the flogging and beating to justice.

The Governor also ordered two highway patrolmen detailed to protect Gelders during his stay in the State. Last night he still refused to give out a statement the former physics instructor had given him over the telephone from Clanton, Ala., earlier in the day, because he said, "it might be of some benefit in tracing clues" to the kidnapers.

Gelders yesterday gave state police a partial description of three of his assailants.

One of them, whom he said he believed he could identify, was a "large man about six feet, one inch tall, with a flat oval face."

Another he described as a "dark man of stocky build, about five feet, eight inches tall, with a round face and wearing good clothes."

The third assailant he said also was "about five feet, eight inches tall, weighing about 160 pounds. He was a handsome, well-dressed man."

Says Doctor Refused Aid

Gelders told Highway Patrolmen Wallace Waites and Earl Henley, who conducted a preliminary investigation of the case, that the third man joined the party after they had left Birmingham. The car stopped and picked him up, he said. Apparently Gelders was unable to give any description of the third man who attacked him and forced him into a car in Birmingham.

Gelders, who was an instructor at the University of Alabama for several years, claimed that he had $59 when kidnaped. This was missing, along with his clothes, which were stripped from him during the ride.

He also charged in his statement to police that a doctor in Maplesville refused to dress his wounds and that he had some difficulty getting a ride to Clanton to receive treatment.

Gelders has been active in behalf of Jack Barton, sentenced to 180 days in jail at Bessemer, 13 miles from Birmingham, on charges of possessing communistic literature.

A deluge of telegrams was received at the Governor's office yesterday protesting the beating of Gelders and demanding a complete investigation. The messages were from Northern and Eastern cities and included communications from the New York branch of the International Labor Defense, the organization of which Gelders is secretary, and from the Workers Defense League.

TWO REWARDS POSTED IN ALABAMA FLOGGING

Gov. Graves Offers $200 and Civil Liberties Union, $500, for Kidnappers of Joseph Gelders.

Special to THE NEW YORK TIMES.

BIRMINGHAM, Ala., Sept. 25.—Governor Graves spurred the hunt today for the kidnap-floggers of Joseph Gelders, representative of the National Committee for the Defense of Political Prisoners, with the offer of a $200 reward for the capture of the attackers.

At the same time the Governor assigned two State highway patrolmen to guard the hospital in Clanton, where the victim is recovering from a severe beating administered by a band of men who seized him Wednesday night in Birmingham.

The guard was detailed to the hospital after Mr. Gelders told the Governor one of the men who flogged him threatened to "come back and fill you full of lead."

Mr. Gelders told the Governor over the telephone that he would call at the Executive offices in Montgomery and discuss the attack as soon as he was able to leave the hospital.

Mr. Gelders, a World War veteran, 38 years old, was formerly an instructor in physics at the University of Alabama.

A reward of $500 was offered yesterday by the American Civil Liberties Union in a telegram to Governor Graves of Alabama for information leading to the arrest and final conviction of one or more of the assailants of Joseph S. Gelders.

The Union's reward, offered "solely in the interest of protection of civil rights" was announced by Arthur Garfield Hays, general counsel.

Governor Tells Highway Patrol To Get Floggers

Wants 3 Men Who Beat Radical Ex-Instructor At University Of Alabama

Investigation Is On

Joseph S. Gelders Under Treatment At Clanton; Taken In Birmingham

Stripped to one piece of underwear and his socks, his body striped with red welts, his lips swollen and some of his teeth missing, Dr. Gelders stumbled into a farm house near Stanton in Chilton County yesterday morning and after identifying himself as Joseph S. Gelders, former physics instructor at the University of Alabama, said that he had been kidnaped in Birmingham by three men who beat him with a blackjack and a leather strap and threw him out of an automobile. He attributed the assault to his activities as secretary of the Committee for the Defense of Political Prisoners.

Gelders was transported to a hospital at Clanton for treatment and within a few hours the State Highway Patrol, at the order of Gov. Graves, was engaged in an intensive investigation of the flogging which brought to mind the long series of such happenings which punctuated the early days of the first administration of Alabama's Governor.

An avowed communist, Gelders resigned his connection at the University in 1935. when news of his activities in Birmingham, traveling to Tuscaloosa, placed him in an unhappy situation on the campus.

TELLS GRAVES HE'LL RETURN TO BESSEMER

Birmingham Officers Join In 'Clew Conference' In Governor's Office

GELDERS RETELLS STORY

Chief Executive Plans To Unite Sleuths In Wide Probe Of Case.

Joseph S. Gelders, flogging victim, appearing before Governor Graves and a group of law enforcement officers in a "clew conference" at Montgomery today, declared he is ready to go back to Bessemer and work on the Jack Barton case.

"I am anxious to get back and try to persuade Mayor Jap Bryant to parole Barton until the question of refusing him bail is settled," said the representative of the Committee for the Defense of Political Prisoners, who arose from a hospital bed in Clanton today to visit the governor.

Mr. Gelders, able to walk but with his head encased in bandages, his eyes blackened and his lips puffed, said he would probably stay with his father-in-law, B. rank, in Montgomery for a few days until he is completely recovered from the brutal beating administeresd to him by four men who abducted him in Birmingham Wednesday night.

Officials Co-operate

The victim o fthe floggers' lash was closeted with Governor Graves alone for some time this morning, but waiting to hear his story and pool their knowledge of the case were State Highway Patrol officers, Birmingham detectives and Jefferson County sheriff's deputies.

Two highway patrolmen, who have been guarding Mr. Gelders at the hospital against any possible further attacks, accompanied the flogging victim to Montgomery.

At the governor's request, the Birmingham Police Department sent Detective Chief G. C. Giles and Detectives McCoy Helton and E. L. Payne to the Montgomery conference.

Explains Theory

Sheriff Fred H. McDuff assigned Deputies Sam Arnett and H. C. Peveler to attend the meeting.

The governor said the conference was being held for the purpose of consolidating information already gained in separate investigations into abduction and to agree on a mutual plan for running down the attackers.

Mr. Gelders has told the governor that he believes the beating came as a result of his activities in behalf of Barton, a Communist now held in jail at Bessemer for violating that city's "anti-literature" law.

Governor Graves was advised by the American Civil Liberties Union that that organization would offer a $500 reward for the arrest and conviction of the guilty parties.

Governor Graves on behalf of the state has already offered $200 reward for the arrest of each of the floggers.

Gelders Sees Civil Liberty Fight Gaining in Alabama

Joseph S. Gelders, southern secretary of the National Committee for the Defense of Political Prisoners, arrived here yesterday morning from Birmingham where he was recently kidnaped and beaten. Mr. Gelders, in town for the annual meeting of the national committee, still bears scars from the treatment accorded him by thugs in Birmingham two weeks ago, shortly after he had returned to his home state to take up the work of defending civil liberties in the Southern industrial center.

Gelders a slender, tall man, prematurely gray, rested this morning at his New York apartment. Boxes and suitcases were spread about on the floor, as Gelders prepared to return to Alabama. A former professor of physics at the University of Alabama, Gelders has been secretary of the National Committee for the past year. His wife and two children will return with him to Birmingham. Mrs. Gelders spoke indignantly of the treatment accorded her husband in their home city and expressed resentment that the investigation of the kidnaping had not brought disclosures and arrests yet. Gelders interrupted calmly:

SEEK ABDUCTORS

"I feel that I know everything that is going on in the investigation by the police of Birmingham and the Governor of Alabama, and I think that definite progress is being made to apprehend my abductors and bring them to trial."

Describing the brutality of the men who kidnaped him from a Birmingham street and carried him down the highway to beat him unconscious and threaten him with death, Gelders stated that there was every indication that this was no spontaneous attack, but one planned and executed under the direction of agents of major industrial interests. Birmingham is the Southern stronghold of United States and Republic Steel Corporations.

Remembering that previous kidnapings and floggings in Birmingham had never been officially investigated, Mr. Gelders was asked just why his case had received attention from the authorities. Gelders mentioned a number of reasons.

INDIGNATION RISING

"The cause of civil liberties nationally has been advanced by such victories as the Shoemaker case in Tampa, Fla., and the conviction of Black Legion members in the death of Charles A. Poole in Detroit. Also a series of outrages in Alabama itself has aroused the people of that state. The terror used against union organizers in Gadsden and in Talladega were fresh in the minds of citizens.

"When the news of the kidnaping and beating of myself was made public, indignation was expressed by a large number of persons. It is also true that the C.I.O. drive with its concentration point in Birmingham, has brought with it a real struggle for civil rights in Alabama."

Asked why he was returning to Alabama to work, Gelders said that his year with the National Committee in New York had convinced him that the best work he could do would be right in Alabama [illegible] where civil liberties have been more ignored than anywhere else in the country.

BARTON CLOSELY GUARDED

His work in connection with the Jack Barton case was declared by Gelders to be the immediate cause of his abduction and flogging. Barton, a Communist organizer, is serving a chain gang sentence in Bessemer for "literature possession" under a law once declared unconstitutional.

Gelders said he felt that were he able to communicate privately with Jack Barton he might discover information which would lead to the identification of the kidnap thugs Barton, who could be seen freely and privately two weeks ago, has been closely guarded since the kidnapping of Gelders.

THE PRESS AND GELDERS

Several weeks ago The New Republic, in commenting on the Gelders flogging case, said that a large section of the Alabama press was hysterical and reactionary and therefore standing in the way of justice. It was a stupid statement in the extreme, for The Advertiser, the three Birmingham papers and others over the State have repeatedly denounced the action of the floggers and called for their conviction.

Now The Rew Republic offers a gracious apology for its misstatement. It says:

"It is with the greatest pleasure that we now withdraw this comment, with sincere apologies to the newspapers concerned, and acknowledge the vigorous condemnation of the floggers in many editorials. Our error arose out of a misunderstanding of verbal information from a source in close touch with the case. Specifically we may name for the honor roll The Birmingham News.

"The Birmingham Post, The Montgomery Advertiser, The Birmingham Age-Herald, and no doubt others that have not come to our attention, demanded the speedy conviction of the floggers. The grand jury refused to return indictments in the case, but with the press aroused there is still the possibility of getting action in some way, by a grand jury of another county through which the floggers passed, by the presentation of new evidence to the same jury, or by federal investigation. This is the most hopeful sign of progressivism that has come from Alabama in years. . . ."

More Alabama papers than are above named have joined in the fight against flogging. This paper and the Birmingham papers have done all in their power

Klu Klux Klan — 1936

Alabama.

THE GLOVE OF THE BEAST

Governor Graves faces one of the great opportunities of his administration in the reported kidnaping and horrible beating of Prof. Joseph S. Gelders, formerly an instructor in physics at the University of Alabama.

The Associated Press indicates that Prof. Gelders was kidnaped by three men in Birmingham, hauled to a point in Chilton county and there flogged and kicked with great savagery. The physician in charge of Prof. Gelders at Clanton is quoted as saying that his patient is badly hurt.

According to Gelders he was attacked because of his interest in the 'Scottsboro" case and other cases and because he had failed to heed a previous warning to leave Birmingham.

It is true that Prof. Gelders is an avowed Communist and that Alabama is not a Communist State, it is true that Alabama has no patience with Communism. It is also probably true that if Communists were in control of the government of Alabama they would be even less tolerant of dissenting minorities than any Alabama Democrat today is of Communism, and that the bill of rights would be torn up and spat upon.

But this is all the more reason why non-Communist Alabama and every other American State should make a special point of protecting the rights of minorities, since respect for the rights of minorities is essential to popular government under a Constitution that takes its stand for all human rights. It is the plain duty of government in this country to protect all citizens in the exercise of their constitutional rights. Otherwise we Americans are unworthy our heritage.

Prof. Gelders has a right under the Constitution to be a Communist or a monarchist. He has as much right to be a Communist as Judge Oliver D. Street has to be a Republican, or as Governor Graves or The Advertiser has to be a Democrat.

Prof. Gelders has as much right to take one side of the celebrated "Scottsboro" case as he has another.

The man does not live on this earth who has the moral right to demand that any other human being shall entertain a certain opinion.

Under the laws of this republic no citizen has a legal right to say what another citizen shall think or say, so long as that citizen refrains from appeals to criminal violence.

If the Constitution of the United States and the Constitution of each of the 48 States mean any one thing without qualification they mean that the citizen's conscience shall be free and that law shall protect him in the exercise of that right.

It seems altogether probable that Gelders was attacked for political rather than personal reasons. Officers of the law are investigating his story. The Advertiser hopes that they will be thorough and ascertain the truth beyond peradventure of doubt. If they find that he was beaten for personal reasons, they should be prosecuted, of course, but if they find that he was beaten because of his opinions and because of his activities in behalf of his ideas, The Advertiser hopes that Governor Graves, who heartily despises mobs, will feel justified, if necessary, in exhausting the material resources of the State to vindicate the right of a human being to speak his mind without molestation from two-legged beasts. We believe that the decent citizenship of Alabama will back him to the limit in any such resolve.

First news reports indicate that this is one of the most bestial, outrageous affairs in the long history of Alabama. It has certainly been a long time since the honor of the State received such a challenge.

Gelders Asks Governor To Name Prosecutor In Probe Of Flogging

BIRMINGHAM, ALA., Oct. 20—(AP)—Joseph S. Gelders kidnaped and flogged here four weeks ago today wired Gov. Graves asking appointment of a special prosecutor to present evidence in the case to a grand jury.

Gelders, representative of the national committee for the defense of political prisoners, wired the Governor after identifying a Birmingham attorney, and National Guard officer, in a police lineup as one of his assailants.

A second man, also a National Guard officer, was described to police by Gelders as "strongly resembling" another of his assailants. No charges have been placed against either man, and neither was under arrest. They appeared in the police lineup voluntarily.

Gelders was kidnaped shortly before midnight Sept. 23, and released near Clanton, Ala., the following morning after he had been whipped and most of his clothes taken.

He attributed the abduction and beating to his activity in behalf of Jack Barton, sentenced to 180 days in jail at Bessemer for possession of communistic literature.

Gov. Graves conferred with Gelders after the latter was released from a hospital at Clanton, and assigned a special state investigator to his case.

Meanwhile, Chief of Detectives G. C. Giles, of the police department here, revealed that police have obtained torn fragments of papers which were in Gelders's possession before the flogging. They were found on the Birmingham northside, Giles said, and have been pieced together for possible use as evidence.

Gelders was secretary of the committee for the defense of political prisoners at the time of the flogging.

He was formerly an instructor in physics at the University of Alabama, at Tuscaloosa.

Lawrence Lee, legal adviser to Gov. Graves, and Atty. Gen. Albert Carmichael said last night that no communication had been received from Joseph S. Gelders who is reported to have asked for a special prosecutor to present evidence in a grand jury probe of the flogging of Gelders on Sept. 23.

VICTIM POINTS TO LAWYER IN POLICE LINE-UP

Accused Man Denies Guilt; 'I'll Prove It At Right Time,' He Says

NEW EVIDENCE IS FOUND

Incriminating Papers Play Part In Probe Of Brutal Beating

Dent Williams, Birmingham attorney and a lieutenant in the National Guard, was accused today of the kidnap-flogging of Joseph S. Gelders, Southern representative of the National Committee for the Defense of Political Prisoners.

Mr. Gelders identified Williams in a police line-up last night as one of the four men who abducted him on a Southside street the night of Sept. 23 and took him for a ride to a lonely point in Chilton County 70 miles south of here, where he was lashed severely.

GELDERS

Williams emphatically denied any part in the flogging.

"I am not guilty," he told reporters after the identification. "That's all I want to say at this time. I'll be prepared to prove my innocence at the proper time."

Grand Jury May Get Case

Mr. Gelders said he would decide during the day whether he will swear out a warrant for Williams' immediate arrest or wait and lay his evidence before the county grand jury, which reconvenes Nov. 9.

Cancelling plans to meet Williams at the office of Detective Chief G. C. Giles at 11 a. m., Mr. Gelders, accompanied by State Investigator J. W. McClung, went to Williams' office shortly before noon for a conference, Chief Giles announced.

It was understood the flogging victim would decide after this conference what his next step in the case will be. Chief Giles revealed that he had advised Mr. Gelders to forego a warrant and take the case directly before the grand jury.

Second Man Viewed

The young attorney was one of two National Guard officers viewed by the flogging victim in the presence of eight or 10 city detectives in Chief Giles' office.

Mr. Gelders said he could not positively identify the second guardsman.

"I am positive in my identification of Williams," he said afterward. "I cannot be positive about the other man, though to the best of my knowledge and belief he was in the party too."

Chief Giles said that prior to the identification Williams last night Mr. Gelders had viewed and eliminated "10 or 12" men on an original list of suspects.

Papers Recovered

Meanwhile, it was learned authoritatively that police are in possession of documents taken from Gelders' pockets the night he was flogged.

This material was recovered in a field in which the documents, torn into fine pieces, was strewn to the winds by a person the license number of whose car the police have.

The material includes Gelders' exservice man's certificate of exemption from poll tax, his American Legion card, and other papers. They have been pieced together again, and are now almost whole.

The material was thrown away in a field back of the Sloss-Sheffield quarters north of First-av at 32nd-st.

The man in whose name the license number was taken out is said to have been giving information on activity of radicals to police here for several years.

Others To Be Viewed

Chief Giles said two other men under suspicion in the case will be viewed by Mr. Gelders soon.

Mr. Gelders' flogging came in the midst of his activities in behalf of Jack Barton, Communist who was placed in Bessemer City Jail last July for possessing Communistic literature. Barton recently was transferred from jail to the Jefferson County Tuberculosis Sanatorium for medical observation.

Despite warnings from his assailants to "get out of Alabama and stay out," Mr. Gelders, a native of Birmingham and a former instructor at the University of Alabama, has continued his activities in Mr. Barton's behalf.

Working With Police

He has worked actively with city and state police investigating his beating.

The flogging took place in a wooded section just off the Clanton-Selma Road at a point about 18 miles west of Clanton. Mr. Gelders was abducted shortly before midnight at 15th-st and 11th-av, s, just after he had alighted from a bus near his home.

Throughout the 70-mile ride preceding the flogging, Mr. Gelders related later, he was kicked and beaten about the face as his kidnappers jeeringly denounced him as a "damned radical" and a "nigger lover."

Gelders on Errand of Mercy When Flogged

Succeeded in Having Victim of Chain Gang Sent to Sanitorium for Tuberculosis—Three of Floggers Identified in Birmingham

(By Federated Press)

BIRMINGHAM, Ala., Nov. 4 (FP).—The errand of mercy for which Joseph S. Gelders, Alabama secretary of the National Committee for the Defense of Political Prisoners was flogged into unconsciousness a few weeks ago, may save a man's life. It was while Gelders was devoting himself to the case of Jack Barton, sentenced to 380 days on the Alabama chain gang for having copies of a Communist publication in his home, that the flogging occurred. Gelders had just visited Mayor Jape Bryant of Bessemer on Barton's behalf. Barton, shown by medical examination to be suffering from tuberculosis, has now been ordered transferred to the Jefferson County tuberculosis sanitarium.

Gelders has identified three of his floggers. Two he picked out of a police lineup at Birmingham—Walter J. Hanna, Captain of Company I of the Alabama National Guard, and Bent Williams, a second lieutenant under Hanna. Williams shot a Negro prisoner in Birmingham county jail five years ago, but went unpunished. Gelders has also identified a third man whose name has not been made public.

'No Bill' Found In Gelders Case

Birmingham Grand Jury Declines To Indict Four Suspects For Flogging

BIRMINGHAM, ALA., Nov. 13.—(AP)—A grand jury that investigated the abduction and flogging of Joseph S. Gelders, National Committee for the Defense of Political Prisoners representative, returned a "no bill" tonight in the case.

Gelders, who was kidnapped and beaten on the night of Sept. 23, appeared as a witness before the jury.

Solicitor George Lewis Bailes said four "no bills" were returned. Gelders partially identified four persons in police lineups as the men who seized him.

Several others identified with the investigation of the Gelders case were questioned yesterday, including Chief of Detectives G. C. Giles and James McClung, special investigator for Gov. Graves.

Gelders was taken into Chilton County, more than 50 miles from Birmingham, and released after being stripped of most of his clothing. He walked to a farm house, and was taken to a hospital at Clanton, Ala., where he remained several days to recuperate from his hurts.

He said his activities in behalf of Jack Barton, sentenced to 180 days' imprisonment at Bessemer for possessing communistic literature under an ordinance since held unconstitutional, were responsible for the beating.

Gelders Appears Before Grand Jury

BIRMINGHAM, ALA., Nov. 12—(AP)—Joseph S. Gelders, representative of the national committee for the defense of political prisoners, was a witness today before a grand jury investigating his abduction and flogging after he intervened in the case of Jack Barton, sentenced to 180 days imprisonment at Bessemer for possessing communistic literature.

Gelders was in the grand jury room more than an hour.

Five witnesses summoned in the case were heard during the afternoon. They included George Brooks, filling station attendant, who found pieces of papers taken from Gelders the night he was flogged, and Chief of Detectives G. C. Giles.

Giles directed the city investigation into the flogging. James McClung, special State investigator in the case, also appeared as a witness.

Solicitor George Lewis Bailes questioned witnesses in the Gelders case before the jury.

Gelders was released in Chilton County after his abduction. He spent several days in a hospital at Clanton, Ala., from the effects of the beating.

Barton was released yesterday after the Alabama Court of Appeals held the ordinance under which he was convicted unconstitutional.

Gelders Names Third Assailant

BIRMINGHAM, ALA., Oct. 22.—(AP)—Chief of Detectives G. C. Giles said today Joseph S. Gelders had identified a third man as one of a group of four which abducted and beat him here the night of Sept. 23.

Giles declined to announce the name of the man identified today, or to comment on developments in the case, which attracted nation-wide attention after Gelders, severely beaten and scantily clad, walked to a farm house near Maplesville, Ala., Sept. 24 to report being abducted and flogged.

Gelders has asked Gov. Graves, who conferred with him shortly after he was released from a hospital, to appoint a special prosecutor for the investigation.

The Governor is in the East on a political speaking campaign, and has not replied to the request. The State offered a $50 reward for arrest and conviction of those responsible for the beating, and Gov. Graves named a special State investigator to cooperate with authorities here in the case.

JURORS IGNORE GELDERS CASE

All But One Prober Vote Not To Indict Any Of Suspects

The Jefferson County Grand Jury returned no indictments in the Joseph S. Gelders flogging case because it regarded the beating victim as an "agitator" and the inquisitorial body did not believe "agitators" are a good thing for the Birmingham district.

The grand jury declined to return indictments because it believed that the Gelders case would become another "Scottsboro case" with witnesses and other court costs draining thousands of dollars from the county treasury.

The Post was told this today by a member of the grand jury which late yesterday returned a no-bill in the case o f"John Doe," as the Gelders case investigation was listed on the docket.

Voted With Crowd'

When a final vote was taken all but one of the 17 jurymen voted a no-bill, it was reported. This one man, it was said, declined to vote.

"I do not believe in outsiders taking the law in their own hands," said another juryman, "but we called Solicitor Bailes in and he said there was no law under which we could get to radical agitators unless they advocated overthrow of government...

"I voted with the crowd.

"I'll say this for Gelders. He told a straightforward, fair story. He positively identified one man and said the features of a second man were identical with one of the men in the beating party. He said his voice, however, was not quite the same. He wasn't absolutely sure about the third man."

The jurymen expressed an opinion that some of the witnesses were reluctant to talk, perhaps because they were in fear of reprisals.

"Mr. McClung, (J. W. McClung, state investigator assigned to the case) acted like he thought the men should be convicted. The police seemed adverse to it.

"I still don't think outsiders should take the law into their own hands but what are you going to do when there's no law to deal with radicals and Communists?" the juror asked.

Woman Slayer Indicted

Solicitor Bailes said the case was closed unless additional evidence is submitted.

"I would not care to discuss the jury's action," the solicitor said. "Anything I might say might be misconstrued."

Silent also were Detective Chief G. C. Giles, one of the witnesses before the grand jury, and Police Chief Luther Hollums. Mr. McClung was at Huntsville.

In returning 75 true bills and recessing until Dec. 7, the grand jury indicted Mrs. Lena Williams for the murder of Jerome Vandiver, tire shop operator, and Jasper Raia for the slaying last August of C. M. Hutchinson.

A no-bill was returned in the case of J. G. Weaver, wagon mine operator, charged with assault with intent to murder for shooting Curtis Cobb, Negro. Mr. Weaver's 10-year-old daughter, Ethel, had partially identified Cobb as the Negro who attempted to attack her near Overton, Oct. 9.

'NOT END,' SAYS VICTIM

"This is by no means the end of the case," Joseph Gelders said today after learning the grand jury's action. "Whether it will be necessary now to turn to Federal agencies for action will be determined by the governor's attitude in the present situation. I shall try to see Governor Graves before making any further statement."

Attorneys acquainted with the case said in their opinion it could be presented to the Chilton County Grand Jury or any other county through which Mr. Gelders passed the night he was flogged.

Alabama Grand Jury Expresses Fear Of Wrangle

BIRMINGHAM, Ala.— (ANP)— Declaring they feared it wonld be come another Scottsboro case with court costs draining thousands of dollars from the county treasury, the Jefferson county grand jury refused last week to indict any of the men charged with beating Joseph S. Gelders, white, southern representative of the National Defense of Political Prisoners.

The grand jury said it believed the beating victim was an agitator and agitators are not a good thing for the Birmingham district. The jurymen also expressed the opinion that sime of the witnesses were afraid to talk for fear of reprisals.

"This is by no means the end of the case," Gelders said. after he heard of the grand jury's action. "Whether it will be necessary now to turn to Federal agencies for action will be determined by Gov. Graves' action in the present situation.

Ku Klux Klan - 1936

Alabama

Senate Probe Of Flogging Slated

WASHINGTON, Dec. 31.—(AP)—An inquiry into the flogging of Joe Gelders at Birmingham, Ala., Sept. 23, may be undertaken in a few weeks by a Senate committee investigating civil liberties violations. The committee had public hearings tentatively scheduled to begin Jan. 11.

Committee agents said today they had been studying the case about four months, and "probably will have some data to present to the Senate within a few weeks."

They said Gelders, a representative of the national committee for the Defense of Political Prisoners, had been seized on a Birmingham street, thrown into an automobile and hauled to the outskirts of town, where he was beaten.

He had been investigating several cases of imprisonment under the Alabama criminal syndicalism law.

The committee, headed by Senator La-Follette (P), Wisconsin, has been investigating strike breaking, labor espionage and other infringements of civil rights since last June.

Klu Klux Klan - 1936
See. — Agriculture: Labor Conditions

Arkansas.

WOMAN WILL FILE FLOGGING CHARGES

Alleged Arkansas Victim Asserts She Can Identify Wielder Of Harness Strap

MEMPHIS, TENN., June 18.—(AP)—Federal and State investigations into the reported floggings of a woman social worker and a minister were promised today as the woman announced she would file charges against their assailants.

Homer Cummings, U. S. attorney general, said Sam E. Whitaker, a special assistant, will return to the sharecropper strike zone to question Miss Willie Sue Blagden, 29, Memphis, and the Rev. Claude C. Williams, Little Rock, who charged they were flogged with a harness strap by six men near Earle, Ark., Monday.

Cummings said Whitaker's report on a recent investigation of "peonage" charges in east Arkansas would be withheld until the flogging inquiry is completed.

Other developments in connection with charges growing out of a strike called by the Southern Tenant Farmers' Union among agricultural workers of Cross Crittenden and Poinsett Counties, Ark., included a reiteration from Sheriff Howard Curlin, of Crittenden, of his promise to produce Frank Weems, 40, negro sharecropper, reported "dead" by strike leaders as a result of "a beating." Gov. J. M. Futrell of Arkansas, has hurled "propaganda" charges at union leaders.

Williams and Miss Blagden claimed they were flogged when they visited Earle seeking proof of Weems's death in order to hold his funeral.

Sheriff Curlin also promised to investigate the flogging charges provided Miss Blagden and Williams made formal complaints to him. Miss Blagden said she would ask Sheriff Curlin to make good his promise of protection by returning to Earle to identify her alleged assailants.

Any action by the woman or Williams will await the outcome of a general conference here tomorrow of attorneys for the union and of the American Civil Liberties Union.

"I am sure I can identify the man," Miss Blagden said today. "I only hope they haven't got scared and run out of Earle."

Cummings's announcement said that "on the face of it there is no apparent violation of Federal statutes in this new situation, but we intend to inquire into the case."

John D. Rust, Memphis inventor of a mechanical cotton picker, wrote President Roosevelt today asking an inquiry into the flogging charges.

Meanwhile, a man describing himself as Frank Rawlinson, 30, formerly of Columbia, S. C., charged here that he was beaten by four men Tuesday near Earle and ordered out of the State. He said he did not intend to prosecute, "but felt that my treatment should be known."

GUVERNOR INVITES ARKANSAS PROBE

Agitators Misrepresent Things Futrell Declares In Formal Statement

LITTLE ROCK, ARK., June 20.—(AP)—Gov. J. M. Futrell today issued a formal statement alleging that conditions in East Arkansas' sharecropper belt had been misrepresented and charging that "agitators are making money by their propaganda in trying to stir up trouble" in the area.

"I predict that nothing shocking or startling will develop from the investigation now being made by the Department of Justice," he said. "The truth will come to light. As governor of Arkansas, I welcome any fair and impartial investigation of each and every alleged wrong and outrage. At my request, the officers of each county will use troops to protect the rights of any people who may come here on any legal purpose and who are willing to abide by the law while they stay here.

"Therefore, I guarantee absolute immunity from any harm to any person who will come here and make an investigation and hear both sides of the case and report the facts as they find them."

The executive's statement made no direct reference to alleged recent floggings in the area, where the Southrn Tenant Farmers' Union several weeks ago called for a cotton-choppers' strike. Early this week, the Rev. Claude C. Williams, Little Rock, and Miss Willie Sue Blagden, Memphis, reported they had been flogged near Earle, Ark., by six men with a piece of harness when they went there to make inquiries about a negro sharecropper reported by the union to have been fatally beaten.

Sheriff Howard Curlin, of Crittenden County, subsequently said an investigation failed to bear out the report of the fatal beating. Sam E. Whitaker, special assistant to the United States attorney-general, yesterday questioned Mr. Williams and Miss Blagden in Memphis about their reported flogging, but made no announcements.

Asserting that "95 per cent of what is being said through the press about the mistreatment of people in Arkansas is false propaganda," Gov. Futrell's statement asserted:

"The agitators are making money by their propaganda in trying to stir up trouble. These agitators will do anything to gain their point in the way of publicity. They will resort to mock funerals.

"Why don't the people who are putting up the money for these agitators devote that money for the purpose of sending some people into Arkansas to investigate the facts? The facts are what the agitators don't want the public to know. They are afraid of the facts. The facts, when once known and believed by the public, will end their activities in Arkansas."

Violence in Arkansas

The White House has announced that the department of justice will consider the recent flogging of Miss Blagden, the Memphis social worker, and the Rev. C. C. Williams in east Arkansas, and the federal government has evidently found a way to concern itself in the case.

6-19-36

The federal government cannot intervene unless a federal statute is involved. For that reason the department of justice has thus far kept hands off in the Black Legion scandals in Detroit and was powerless to intervene in the prosecution of the alleged murderers of Walter W. Liggett, the Minneapolis editor.

It should be hoped, indeed, that Arkansas will be able to suppress without outside assistance the violence that is becoming alarmingly frequent in the eastern cotton belt of the state. Whatever the underlying situation, no state can afford to countenance the kind of terrorism that has prevailed in Arkansas.

The residents of the cotton belt may have just reason to complain of "agitation", but complaints that take the form of flogging a woman and a clergyman are scarcely to be tolerated.

The root of the trouble is, of course, the effort of Arkansas sharecroppers to organize a union. No intelligent southerner admires the sharecropper system. The South as a whole would like to see it abolished. On the other hand, it may be that the tactics employed by the sharecroppers of Arkansas have been unnecessarily bellicose, arousing in turn unnecessarily fierce resentment of their efforts to better their condition.

The problem of sharecropping, regrettable as this is, is not going to be solved overnight. It is assuredly not going to be solved by violence on the side of the sharecroppers or the mob that flogged Miss Blagden and the Rev. Mr Williams. And it will have to be admitted that the sharecroppers have indulged in less violence than those whom their activities have angered.

The Arkansas Floggings

The brutal flogging of three plantation strike sympathizers in Arkansas reminds again that "the condition upon which God hath given liberty to man is eternal vigilance." And the remark by Sheriff Curlin of Earle that he "might make some arrests" reminds that such vigilance, too often is lacking among the local peace officers sworn to protect life and liberty.

This incident is of a piece with the covert and cowardly pogroms of the Black Legion, and other disquieting outbreaks of gang violence all over America. Skulking terrorism, it seems, has not been buried with the Molly Maguires, the Ku Klux Klan and the Night Riders of the past. We, who are shocked at the bloody doings of the Nazi and Fascist packs, must look to our own safety.

How does it come that these recurring outrages against peaceful men and women wring protests from only a handful of liberty-loving Americans? The Liberty League and other rich organizations self-anointed in the holy war to protect the Constitution have been strangely silent over these violations of the simplest of constitutional guarantees.

Perhaps Federal intervention, such as was made necessary in the G-men's war on kidnapers, may be inevitable. The Department of Justice is looking into the Arkansas affair to see if a Federal statute has been violated. If Federal action comes it will only be because local enforcement breaks down. And this Heaven forbid.

In the meantime the call is for a thorough investigation of these invasions of human rights in America. The pending La Follette investigation should be enlarged and more amply financed. Let us find if these killings and beatings, these threats and suppressions, are the isolated and unrelated work of local terrorists, or a more sinister attack upon democracy itself.

When we know more about them we can deal with them more effectively.

Chattanooga, Tenn. News
June 17, 1936

They'll "Learn" Her

CHIVALROUS Arkansas cotton planters say they "will learn" women to keep their noses out of the share cropper union scandal. Miss Willie Sue Blagden, member of a well-known Memphis family, was flogged the other night near Earle, Ark., by six modern Chevalier Bayards, bruises were left on the woman's body.

sans peur et sans reproche.

Miss Blagden went over to the Share Cropper district of Arkansas with the Rev. Claude C. Williams, to investigate the reported murder of a Negro who had dared join the Share Cropper Union. The band of chivalrous Southerners seized the pair, and brutally

"I am a Memphis girl, and not an outsider, and I have a right to know what's going on in the South," said Miss Blagden. Yes, gentlemen will "learn" her to meddle.

End Floggings, Governor Told

Teachers Urge Curb on Planter Terror in Arkansas

MEMPHIS, Tenn., June 21.—Headquarters of the Arkansas cotton fields strikers here made public today a letter sent by the American Federation of Teachers to international office in Chicago to Governor J. M. Futrell of Arkansas, reproaching him for permitting the flogging of strikers and unbiased investigators in the strike area.

The letter was provoked by the flogging recently of Rev. Claude C. Williams, who is international vice president of the American Teachers Union.

The letter is signed by David H. Pierce, chairman of the union's Public Relations Committee, and requests an answer from Governor Futrell. It says:

"The flogging of Willie Sue Blagden and the Rev. Claude C. Williams near Earle is just one more event in a series which proves conclusively that it is the intention of the plantation owners of your State to resort to wholesale murder, if necessary, to prevent the organization of farm workers in lawful trade unions.

"It is your duty to invoke your full authority to protect and to assist the thousands of poverty-stricken citizens of Arkansas in their commendable efforts to lift themselves from the mire of degradation and ignorance in which they have been sunk entirely too long.

The League for Southern Labor composed of a number of literary and public persons in the North, has written Governor J. M. Futrell of Arkansas protesting his inaction in the cases of the alleged murder of Frank Weems and flogging of four persons seeking to investigate the murder.

HOOPESTON, ILL.
CHRONICLE HERALD

JUN 27 1936

ARKANSAS CHIVALRY.

(From Chicago Tribune)

Citizens of our region who may have read that Miss Willie Sue Blagden of Memphis, Tenn., a social worker, had been flogged by night riders near Earle, Ark. may have jumped to the conclusion that southern chivalry is, if not dead, then moribund. We are happy to reproduce evidence from the columns of the Earle Enterprise to show that this conclusion is not warranted.

The editor says with admirable candor that he does not condone such goings on. To be sure, this white woman was "forced to endure" only a "light whipping," to borrow his somewhat technical phrases, but chivalrous to his marrow he takes the view that even so delicate an attention, amounting, in fact, to scarcely more than a ceremonial assault and battery, is to be condemned. Granted that the lash only bruised and that little or no blood was drawn, granted that Miss Blagden did not lose consciousness and that no one so much as suggested kicking her in the face, the gallant editor still asserts that the efforts to persuade were carried altogether too far.

Having conceded so much, he feels free to indicate what was in the minds of his subscribers when they organized their surprise party for Miss Blagden. A few such incidents, he says, have eliminated labor unrest in the region. There is no sharecroppers' strike, no evidence of discontent in the territory about the happy village of Earle. Tenants remain on the job. Day laborers are plentiful at 75 cents a day (say 7 or 8 cents an hour) instead of the $1.50 a day which has been demanded for field labor where women are not so summarily whipped.

Nor is that the whole case for the gallant men of Earle. Miss Blagden had gone there to attend the funeral of a negro sharecropper who had been lynched—or so she thought—for participating in the movement for high wages. The editor explains that it is by no mean certain that the man was actually killed and adds that "assisting in conducting a colored man's funeral is no job for a white woman in the south." Obviously it is not, for a white woman who thinks otherwise must expect to be flogged for her opinion.

Senator Robinson of Arkansas beat his breast the other night (though not with a blacksnake whip) over the decision of the Supreme court holding that New York had exceeded its constitutional powers in enacting a law setting maximum hours and minimum wages for women and children in industry.

"O blind and impartial justice," he cried to his fellow Democrats in convention, "O blind and impartial justice, what blunders are committed in thy name! Liberty, art thou both deaf and dumb? Canst thou not behold the pallid faces, the emaciated forms, the trembling sweating brows, the trembling hands of millions of women and children workers who by the decision are left at the mercy of those who have neither pity nor charity for the oppressed and the poor?"

Gov. Landon had been less rhetorical but more specific. He said that if such laws protecting women and children in industry needed a constitutional amendment to validate them, he was for the amendment. Mr. Robinson forgot to say that in northern, industrial Republican states, child labor has been forbidden for a generation or more and that wages of 7 cents an hour for grown men are unheard of. It remained for Senator Robinson's own Arkansas to flog women in order to maintain a vicious and indefensible system of human exploitation. The senator can hardly be unaware of conditions in his own state, but oddly enough, failed to mention them.

MADISON, WIS.
STATE JOURNAL

JUN 22 1936

Organized Lawlessness

STORIES from the southland add to the evidence that there are still some sections in this country where men believe they have the right to inflict punishment and perhaps even death upon persons who do not accept their economic or political views.

Reports of the flogging in Arkansas of the Rev. Claude C. Williams and Miss Sue Blagden of Memphis because they went into a cotton cropping district in which a strike exists to serve at the funeral of a Negro striker, said to have been killed by a mob attacking a strikers' meeting, read much like the dispatches from Michigan as to the outrages of the Black Legion. A defense now offered for the flogging is that the reported death of the striker was a hoax, circulated to create sympathy for the cotton pickers' union. It is also claimed the minister and Miss Blagden were labor sympathizers. Such statements are, however, no defense for the outrages committed.

Men in sympathy with the interests that own the land let out to cotton croppers on a share basis resented the visit of the minister and the Memphis woman as an intrusion. They perhaps feared that stories as to their treatment of the sharecroppers would not look well in print, and that the minister and the woman might discover facts in regard to labor conditions in the cotton cropping districts that would not be favorable to the landowners.

It is claimed that masked men whipped the minister and his woman companion with straps studded with brass knobs. A sharecropper who has been active in a strike against the conditions under which the sharecroppers labor, Roy Morlock by name, alleges that he received like treatment to that accorded the Rev. Williams and Miss Blagden. Morlock also declares that he was struck with fists and hammers as well as whips. He was given 15 minutes, he said, to leave the district.

The authorities of Earle, Arkansas, do not seem worried over the outrages that have occurred in their locality. The sheriff passes off the incident with the remark that there may be some arrests later.

President Roosevelt has ordered a federal investigation of not only the whipping of the minister and Miss Blagden, who by the way is a social worker, but also of the conditions surrounding the sharecroppers' strike.

This investigation is now in progress. It is to be hoped that the inquiry will be searching even though the outrages have occurred below the Mason and Dixon line where democrats are in control of the government.

This country is having altogether too much at the present time of an organized lawlessness on the part of people who seem to think they can combine to compel by violence subservience to their views.

They are lawbreakers in the outrages that they commit, and are on the same footing with members of mobs that perpetrate lynchings.

Lawlessness should no more be permitted for the enforcement of economic views or even the punishment of persons who may run afoul of the ethics demanded for proper moral standards, than for any other cause. Punishment without intervention of the courts means the commission of criminal offenses.

The landowners of Arkansas, like the officers of the Black Legion, should be made to understand that there are laws in this land which must be respected and obeyed.

Klu Klux Klan- 1936

Arkansas.

Flogging Arouses Varied Opinions

Protest, Praise, Hurled by Southern Press—Renovate State Reform School —Adopt Peace Resolution

(Correspondence from the Mid-South)

MEMPHIS, July 6.—Your correspondent takes for granted that every reader of The Christian Century already knows of the recent flogging near Earle, Ark., of Rev. Claude Williams of the National religion and labor foundation, and Miss Willie Sue Blagden. What the reader probably would like to know from one living on the scene is the reaction of the mid-south to what appear outside our region as outrages. In the first place let it be understood that Mr. Williams is a bona fide minister of the Southern Presbyterian church, forced out of an Arkansas parish more than a year ago because of his radicalism. Miss Blagden is a native of Memphis, daughter of a Maine Unitarian who came south more than 30 years ago, distinguished himself for heroism in the Galveston flood, and spent thirty years as assistant meteorologist in the Memphis office of the weather bureau. Miss Blagden attended Sunday school in the church of which your correspondent is now the minister.

It is my conviction that the trip which Mr. Williams and Miss Blagden made to Crittendon county was genuinely for the purpose of discovering what had happened to Frank Weems, Negro agricultural laborer, who had been allegedly beaten to death by a gang of planters or their hired men. Williams was really very badly beaten and has taken steps to remove his family from the state for fear of violence to them. Miss Blagden was beaten badly enough, but that is nothing compared with the humiliation in the light of the southern tradition toward white womanhood. Some southerners thought at the time it was good for those prominent citizens that Miss Blagden had not made her whipping generally known in Earle, for there might have been a white lynching bee. Unfortunately for such an interpretation of Arkansas chivalry stands a front-page editorial in the Earle Enterprise, which appeared a day or so after the beatings, charging newspapers with having painted a picture of Arkansas as a scene of brutality and terrorism. It was true, said the editorial, "a few foreign agitators" had felt the sting of the lash; but this was not to be deplored. Indeed it was a method that "produced results where all other remedies less drastic have failed." As for the fact that a white woman had been beaten, "there is no doubt but what the woman was completely out of her place."

* * *

Governor Turns Down Plea to Investigate

Across the river in cosmopolitan Memphis the news would have either been squelched entirely or at least suppressed had it not been for the fact that Scripps Howard has a paper not owned by local money. When the Press Scimitar saw fit to headline the outrage the Commercial Appeal gave it scant space. Lest anyone think that was mere journalistic jealousy, the Appeal's editorials took the same old attitude of blaming the "foreign agitators" who were organizing the Sharecroppers union for mercenary motives. The Appeal's chief editorial writer, W. C. Teague, addressed the Memphis junior chamber of commerce telling Norman Thomas and other outside "uplifters" to clean up poverty at home before coming to the south. As for the governor of Arkansas, his answer to appeals that he investigate matters in Crittendon county was: "It is unconstitutional. Crittendon county will have to handle this itself."

Klu Klux Klan - 1936

California

William Haines And Guests Are Beaten By Mob

Advertiser 6-2-36

LOS ANGELES, June 2.—(AP)—A handsome ex-film star, William Haines, and a companion, Jimmy Shields, were severely beaten by a howling, cursing mob which drove them and 19 men friends out of the Manhattan Beach community Sunday night, Haines and sheriff's officers said today.

Montgomery

In Hollywood, Haines said he could not account for the attack. More than 100 persons, including several women, were in the mob, he said.

No arrests have been made. An inquiry is continuing.

A justice of the peace said he would not issue any complaint until there is more evidence.

Ala.

Several men in the Manhattan Beach area openly boasted today of taking part in the mobbing, saying they were members of a so-called "White Legion."

"Some wild, untrue rumor must have stirred them up," said Haines at his antique and interior decorating shop. "It was a lynch mob, all right. It might have been some sort of klan or secret organization."

Haines, who has been out of pictures three years, said about 40 swearing, hooting men, some drunk, overtook him and Shields en route from a cafe to Haines's beach home and slugged them to the ground. One mobster declared: "We've been waiting for a chance to get you," Haines reported.

"We're going to run you out of town," someone else shouted as the mob rapidly increased, he added.

From the ground, Haines said, he and Shields looked up to find themselves surrounded by more than 100 men and women, shouting and jeering.

A sheriff's sub-station report said both Haines's eyes were blacked and Shields was cut and bruised before the mob shoved the two and three of their visiting friends into Haines's automobile and drove them out of the community. The new automobile was scarred inside and out with rotten tomatoes, the report said.

Shouting and jeering, the mob pushed on to a house near Haines's and routed out five men who said they were friends of his from Hollywood. The men left immediately.

The report said someone yelled: "Let's clean up the town," and members of the mob waylaid 11 other men understood to have been guests for a party to have been held at the Haines place that night. These men were from two houses nearby, which the mob invaded, warning everyone there to be out of town by midnight. The men left long before then.

Toward the latter part of the disturbance, a riot call was sent to the Vermont Avenue sheriff's sub-station home six miles away, and deputies responded. By that time, however, the mob had dispersed.

Deputy Sheriff S. W. Kirkahofe is continuing an inquiry, acting under advice of Justice of the Peace Albert Monroe who said more evidence was needed before he could issue any complaint.

Haines said he rented the beach house only two weeks ago. Shields lived at the house last week and he (Haines) went there Sunday, the former actor said.

Haines declared the mobbing took him by surprise and he did not know what he should have done about the situation.

Detectives Probe 'White Legion' After Attack On Ex-Movie Star

Advertiser 6-4-36

LOS ANGELES, June 3.—(AP)—Detectives sought to learn tonight whether a "white legion" fomented a mob attack on William Haines, former film star, and his friend, Jimmy Shields, who were driven out of the little seaside community of El Porto Beach Sunday.

Developments today were:

1. Three women asked complaints against Haines and "John Doe," alleging that the six-year-old son of one of them had been taken to Haines' home and then subjected to moral mistreatment.

2. Haines denied that such an act took place, and described the attack upon himself and Shields "an irresponsible act of drunken hoodlums."

3. Sheriff Eugene Biscail ordered a full inquiry and said he would ask Grand Jury action "if the facts warrant."

Montgomery

Justice A. F. Monroe, of Inglewood, declined to issue a complaint after an interview with the women today. He told them the evidence is insufficient and advised them to wait until detectives have completed their investigation.

Bandages still covered Shields' face today. Haines apparently was unmarked from the beating.

Ala.

Since his virtual retirement from the slick-haired roles he played in the movies, Haines has been operating as an interior decorator and selling antiques. A number of well known picture people have had their homes done over by him. He has a fashionable and tastefully-designed shop in the movie colony.

His version of the story was this:

"Sometime during our weekend party with several friends on the Beach, Jimmy (Shields) met a little boy who appeared clever and friendly. When Jimmy walked back to my house, the little fellow trotted along, chatting amiably. Jimmy finally gave him six cents and told him to go right home. That was Thursday.

"It's ridiculous to think there was anything wrong done.

"The following Sunday several men approached us and said, 'We'll give you just one hour to get out of town.'

"Then, one of them hit Jimmy and knocked him down. I went to help him and somebody hit me.

"They howled and hooted at us, and smeared my car with tomatoes and eggs. It was horrible."

Haines said he thought there were about 100 men in the party, and a few women.

CALIFORNIA

After Tar & Feather

"Vigilante" first became a popular U. S. word in the 1850's when California's citizenry undertook to discipline the more irrepressible of those who went West for gold, gambling and glamor. Instead of dying out with the establishment of law & order, Vigilantism in California remains a potent and honored means of squelching those suspected of Communism. Typical was the treatment accorded last August to Silva M. A. ("Jack") Green, sign painter, and Sol Nitzberg, chicken raiser, Reds who promoted an apple-pickers' strike in Sonoma County. One night a band of unknowns seized Green and Nitzberg, clipped their hair, stripped them to the waist, doused them in crank-case oil, feathered them, paraded them through the streets of Santa Rosa, made them kiss a U. S. flag, booted them out of town.

To many a California landholder this action seemed just and proper. The Sonoma County Grand Jury refused to indict. The District Attorney declined to act. Last week, however, Sonoma County learned to its astonishment that State's Attorney Ulysses Sigel Webb had had informations filed against 23 prominent citizens, including President Arthur Meese and Secretary Frederick Cairns of the Healdsburg Chamber of Commerce, City Editor Julian Mayar of the Santa Rosa *Press-Democrat*. All were charged with kidnapping, assault with a deadly weapon, assault to commit bodily injury on Green and Nitzberg. The defendants, later reduced to 21, all represented by one law firm, had their $500 bail paid at once by sympathetic friends.

International

SOL NITZBERG

A chicken man agitated apple-pickers.

Ku Klux Klan-1936.

Florida.

KU KLUX KLAN HOLDS PARADE IN FLORIDA

JACKSONVILLE, Fla., March 27 (AP)—Led by a fiery cross, Florida Knights of the Ku Klux Klan silently filed through the Jacksonville business district tonight.

Several hundred men and women gaibed in the flowing white robes which once struck terror to the hearts of Negroes in the South, took part in the parade.

Most wore full masks, with only two slits to permit them to see. A few bared their faces.

The parade was the feature of a meeting here, held simultaneously with the trial of three men at Tampa for a fatal flogging. Norman Thomas, socialist leader, and others have accused the klan of responsibility for the lashing, but leaders of the organization have denied complicity.

GEORGE DALE DIES; KU KLUX KLAN FOE

Indiana Editor Slugged and Convicted of Contempt of Court in Fight on Order.

FORMER MAYOR OF MUNCIE

Elected After His Battle With Invisible Empire Had Made Him National Figure.

Special to THE NEW YORK TIMES.

MUNCIE, Ind., March 27.—George R. Dale, editor of a small weekly newspaper here and former Mayor of Muncie, who became nationally known as the foe of the Ku Klux Klan and for his frequent clashes with the law, died today of a cerebral hemorrhage. His age was 69. He was stricken as he sat at his typewriter in his home preparing copy for his paper, which went to press today. In the typewriter as he fell was the headline for an editorial, "An Impartial Law," but the words beneath.

In his fight against the Klan, Mr. Dale was slugged and beaten and his dwelling was stoned and fired upon. It was reported that when he was set upon one night by four hooded figures as he walked along the street he shot and killed one of them, but the story of his assailant's death never was proved.

Mr. Dale brought about the impeachment before the State Legislature of Clarence W. Dearth, then judge of the local Circuit Court. Mr. Dale charged that Judge Dearth packed juries with Klansmen. In a contempt case he brought against Dale, Judge Dearth said that "the truth is no defense" when a newspaper is charged with libel, which aroused the newspapers of the nation.

Pardoned by Roosevelt

After Mr. Dale became Mayor in 1929, he was convicted in the Federal District Court at Indianapolis of conspiracy to violate the National Prohibition Law. After taking appeals and attempting to get his case before the United States Supreme Court by appearing personally before a member of that court, said to have been an unprecedented act, he was pardoned by President Roosevelt.

It was charged he ordered policemen to convey liquor from here to a Democratic convention in Indianapolis for his use.

Mr. Dale served two days on the State penal farm for contempt of Judge Dearth's court and then was pardoned by Governor Ed Jackson, whom Mr. Dale frequently attacked bitterly for alleged Klan activities.

Funeral services will be conducted here Sunday afternoon.

Former Police Sergeant

MUNCIE, Ind., March 27 (AP).—The son of a Monticello, Ind., barrister, George Dale was destined for the law, but early rebelled and followed several pursuits before finally settling in Muncie in 1915.

Dr. Rollin H. Bunch, then Mayor of Muncie, brought him to this city and made him a police sergeant. Mr. Dale established The Muncie Post-Democrat, a weekly paper, to support Dr. Bunch's campaign for re-election. Dr. Bunch was sentenced to prison in 1917 for using the mails to defraud.

Mr. Dale then devoted his time to his newpaper and started his campaign against the Klan.

His widow, who helped him edit the paper; four daughters, three sons, a brother and two sisters survive.

Miami Klan Urges Negro 'Pass' Cards

Daily Worker

MIAMI, Fla., June 9.—A real fascist climax to Miami's three-month reign of terror against Negroes was in sight this week as officials of the city listened to a proposal by Safety Director Kavanaugh that all Negro domestic servants be made to carry identification cards with fingerprints and photographs, a faithful duplication of the South African "pass" system.

Since efforts begun in March to force Negroes into the fields at sixty cents a day in many instances has not proven fruitful even with the wholehearted support of the sheriff's offices and the Ku Klux Klan, city police have been staging a Roman holiday of persecution against the Negroes here.

Doss Roberts, 33-year-old Negro, has been framed on a charge of having pushed a small white girl off the sidewalk. A frenzied chase down the street featured the arrest of Roberts, who did not even know that he was being pursued by a police-led mob. The defendent faces a long term in jail as a result of the false charge.

When the girl who was supposed to have been his "victim" refused to identify him, officers suddenly "discovered" a pair of brass knuckles beside Roberts as he was riding in the patrol wagon.

City officials have announced publicly that they would round up all Negroes who could not "give a good account of themselves" and offer them the alternative of forced farm labor at starvation wages or six months in jail. A growing resentment by the Negroes to these fascist measures has called out as many as sixty policemen in a special "anti-Negro" squad on one occasion.

With white newspapers playing up every hatred-provoking incident possible on their front pages, and the Klan openly advertising that it "rides again," some of the Negroes are showing a surprisingly militant attitude of defense.

Miami Klan Begins New Terror Drive

Daily Worker 6-9-36

Negroes Brutally Beaten, Jailed as United Unemployed Movement for Relief Gains Strength and Prepares Demands

New York Daily

By Jack Jameson

MIAMI, Fla., June 8.—Maximizing misdemeanors into major crimes, the Ku Klux Klan, with the aid of the local police and press, has launched an anti-Negro campaign that threatens the peace of this city.

The Klan announced it is "riding again." In bold newspaper advertisements the southern vigilantes invited ex-members and friends of the K.K.K. to communicate with Box 1558, Buena Vista station for "important information." Three large K's, set between two thick crosses, were the outstanding features of the Klan ads on an otherwise dull page of small type.

The terror wave by the "Triple-K" was well timed and obviously prearranged. Simultaneously with the announced revival of the Klan the police began rigid enforcement of an order by Chief William J. McCarthy banning Negroes from the white section after dark. The edict was a cue for the Ku Kluxers to beat domestic workers, men and women alike, who did not get out quickly enough from the neighborhood of fine homes and lawns while on their way from work to their holes of homes.

Invade Negro Section

Unable to find enough Negroes to attack in the white sections after sunset, hoodlums, acting under orders from local Klan leaders, invaded the Negro quarters and for a while terrorized the whole community.

The anti-labor phase of the latest Klan drive was emphasized when police, plainclothesmen and deputies from the sheriff's office took into custody every able-bodied Negro, who according to them, could not give a good account of himself. They were given the option of accepting work or remaining imprisoned for six months. Vagrancy charges, County Solicitor Robert R. Taylor, Jr., announced, would be filed against all who refused the offer.

It is plainly an effort to supply owners of large farms in Dade County with slave labor they were unable to secure for the starvation wages offered.

With the season over, and not a tourist in town, Miami Beach, across the causeway, resembles a deserted industrial city after a short lived boom. As a result of the periodic summer standstill, Miami's opportunities for employment are at a minimum. Last summer there was an unexpected and spirited march of Miami's unemployed to the City Hall. The workers demanded jobs or relief. They got part of what they came for.

The newspapers attempted to arouse an anti-Negro fever. The re-

actionary Miami Herald published a vicious story next to the Klan advertisement. The News contributed its share of exaggerated and even unfounded reports of crimes committed by Negroes.

Periodic raids were made on Negro gathering places. The chief of police announced a squad of extra detectives detailed nightly in the Negro section. Andrew J. Kavanaugh, director of public safety, suddenly announced an extra four-hour shift for policemen and detectives in the downtown Negro section.

The reign of terror continued until some of the Negroes refused "to take it" any longer and fought back. Outnumbering the invaders, they succeeded in several cases in defending themselves against their attackers. Many arrests with sentences to the penitentiary followed.

The police and the press were finally forced to admit one charge against a Miami Negro, Doss Roberts by name, was a complete lie. Roberts, thirty-three years old, a railway workman, was charged with slapping and knocking down a nine-year-old white girl at 23rd Street and North Miami Avenue. Ralph and H. H. Smith told police, according to the newspapers, they saw the Negro slap the child while she was standing in front of a restaurant waiting for her father.

Despite all efforts, the police could not get the child to aid them in developing a case. The little girl insisted she was not molested. E. W. Coulter, a friend of the family who accompanied the youngster to the restaurant, declared the child was not out of his sight for a moment and that no one touched her. Roberts is still being held.

The Miami Communist Party section and the local branch of the League Against War and Fascism were the first to come to the aid of the Negroes. Raising the slogan, "Stop the Klan!" the Communist Party sounded the alarm that the rights of the people were at stake. In a leaflet distributed in both Negro and white sections, the Miami Communist Party declared:

"The Ku Klux Klan is trying to ride again in Miami because there is a desire on the part of the workers to organize against the worsening conditions. The Ku Klux Klan is used by the corrupt politicians to keep themselves in power, to stir up race hatred between the Negro and white workers and to protect and insure the profits of the big employers and landowners while denying relief to the hungry unemployed. That is why the Klan tries to ride again in Miami!

"The events in Tampa have proved the Klansmen to be cowardly, hooded murderers. Drunk with power as the hired strike-breakers, kidnapers, floggers and assassins of big business and corrupt politicians they overstepped themselves when they murdered Joseph Shoemaker. For this barbarous crime they now stand condemned before the whole nation.

"The Communist Party is aware that many well-meaning people in the past have been duped and misled by the Klan. To these we say: The Ku Klux Klan is your deadly enemy!

"All decent, honest, freedom-loving people of Miami! Do you value the principles our revolutionary forefathers fought for? If so—Stop the Klan!

"The Ku Klux Klan stands for government by terror—Fascism!

"Organize a People's Front against the Klan!

"Defend civil rights!

"Build a Farmer-Labor Party in Florida!

"Outlaw the Klan!"

Klan Jurors' Ride Failed of Its Purpose

Tampa Floggers' Counsel Saw Retracing of KKK Night Riders' Route as Picnic But Jurors Examined Evidence in Court

By Jack Jameson

"To Floggers' Hill."

That sign, leading with an arrow, claimed to have been seen by the Ku Klux Klan defense at the apex off the Hopewell road, near the Shoemaker flogging-murder scene in Tampa, Florida, will play an important role in the legal battle to obtain a new trial for the convicted police quintet.

Klansman Pat Whitaker contends the sign was placed there to guide the jury trying the night riders of the Klan, when it was taken for a ride to Klan-ridden Tampa to inspect scenes described in State testimony. The head of the coterie of Klan counsel asserts it was displayed apparently deliberately for the purpose of studiously attempting to prejudice the minds of the jury. The Klan defense maintains the jury saw the sign and has entered into the record, therefore, a list of exceptions to the conduct of the entire trip.

Retrace Route

Judge Robert T. Dewell, who presided over the Bartow trial, headed the motorcade that retraced the midnight ride of last May 30. In nine automobiles, the jurors who were shepherded by the judge and four bailiffs, accompanied by all the defendants, members of their families, attorneys for both sides, court attendants, reporters and others interested in the case travelled comfortably over the State highway and country roads along which the flogging victims painfully made their way that tragic November night.

Reports out of Bartow for several weeks past had told of Judge Dewell having favored the Ku Klux Klan defense. The day before the trip the court freed outright two of the seven police-Klansmen and reduced by three-fourths the possibility of conviction against the remaining five. Judge Dewell had ordered a directed verdict of acquittal for former Police Chief Tittsworth and Robert Chappell, one of his floggers, and simultaneously knocked out three of the four charges filed in the original information.

The Ku Klux Klan defense did not object to the tour on that May day court was recessed for the purpose. Everybody in Bartow and Tampa, to whom the verdict of guilty later came as a complete surprise, believed at the time that the court, the defense and the prosecution was, in the Klan vernacular, "taking the jury for a ride."

The six shirt-sleeved, perspiring jurors left their cars and trudged their way to see for themselves the exact spot where the labormen were manhandled by the "K-men. They asked Judge Dewell to point out for their inspection scenes referred to in evidence from the lips of thirty odd witnesses during five weeks of State testimony.

Examine Flogging Site

In addition to the flogging site, the party visited the ditch near the Oak tree whose limbs came all the way over the road so that one could touch them—the Oak tree that sheltered the mortally wounded Joseph Shoemaker as he lay naked, frozen, awaiting help from Tampa. They stopped at the filling station where the two surviving victims, after a painful walk in clothes of tar and feathers, underneath their own, finally got a ride back to town. They drove along the Estuary, that forbidding stretch of waterfront near the warehouse district of Tampa where the transfer from the police to Klan cars was made when a motorcade of twelve instead of their nine automobiles was parked along the docks. Finally, they inspected Tampa's police headquarters from where the Socialists and Modern Democrats were kidnaped by the lawless Klansmen in uniform.

The jurors found much to see and a great deal to learn. At the woodland flogging scene near Brandon, 14 mlies south of Tampa, where the Ku Kluxers branded the labormen foes of graft, corruption and Klan rule, they saw the log over which Eugene F. Poulnot, Dr. Sam Rogers and the murdered Shoemaker were placed and flogged. Manuel Glover, Polk County solicitor, and Mrs. Kate Carver, court stenographer, obliged the newsreelmen by inspecting it carefully before the camera. Save for that log, however, there was nothing to show them anything of the secret plotting, the painful beating, the lash whipping, the tar burning—the mutilating murder. All evidence had been removed—some by the murderers, the rest by deputy sheriffs—the tar, the bag of feathers, the charcoal, the twigs and sticks left from the fire that burned the tar the Klansmen poured upon the naked, bruised bodies of their defenseless victims.

Inspect Police Station

Everywhere the jurors looked on with interest but without comment, and none was made to them. At police headquarters they inspected the room where the Modern Democrats were questioned about their "Communist activities" soon after they were docketed. They passed the room where Joseph Shoemaker was beaten in order to facilitate his abduction into the police car outside.

On their way out, the jurors strolled through the desk sergeant's office—the office of Desk Sergeant Tompkins who was no longer there. Tompkins is dead. He died because he "knew too much" and told it to the grand jury. The visiting jurors from Bartow did not hear his testimony.

The trip concluded, the jury returned to court to hear closing argument by counsel for both sides. The defense did not deny Poulnot had been kidnaped. The trial at Bartow concerned itself only with Poulnot's abduction. But Whitaker and his aides would have had the jury believe the two living victims of the "Tampa Terror" perpetrated the crime, daubed each other liberally with tar to throw suspicion on innocent men, all because Shoemaker was "muscling in" on their "unemployed racket."

Either Poulnot and Rogers were guilty of maltreating Shoemaker, or all had been tarred, feathered and flogged "by persons unknown." That refrain is repeated often by police-Klansmen and deputy sheriffs in all Klan contaminated cities and counties of the Klan-controlled South.

Summation to the jury—the grandstand play to the gallery—was the next order of the trial, the Klan defense believed. It never dawned upon those Klansmen—counsel and policemen alike—that the verdict can be anything but acquittal. Now that the jury willed otherwise, the defense desires to get into the record the "occurences which were improper."

The sign, leading with an arrow, reading, "To Floggers' Hill," directing to the murder scene is one. The defense further excepted because newspaper reporters were allowed on the scene and pictures were taken in the presence of the jurors.

Nothing save "the evidence," in and out of the Bartow courtroom, was influenced the workers of the jury to render the courageous verdict of "guilty."

The jury that was believed to have been "taken for a ride" convicted the night riders of the Klan and by their act helped change the face of civil liberties in Tampa.

Klu Klux Klan - 1936

Florida

Birmingham, Ala. News
December 17, 1936

"KLAN" URGES REFORM

Vigilante Action Threatened Unless Miami Laws Enforced

MIAMI—(AP)—Privately expressed official opinion was divided today over whether recognition should be given a letter, purporting to come from the Ku Klux Klan's local chapter, warning vigilantes would enforce laws if the authorities fail.

Received individually by city commissioners, the letter demanded calling of an election on proposals to abolish the office of public safety director, and charged disruption of police morale had brought laxity in enforcement, particularly of the anti-gambling ordinance.

Klansmen, who would not be quoted by name, said the communication actually came from the chapter but was drafted over protests.

The safety director's job has been under fire for years regardless of the incumbent. A. J. Kavanaugh, former Rochester, N. Y., police chief, now holds the post.

Referring particularly to a section of the letter in which "loss of control over the Negro situation" was charged to the police, Chief John B. Rowland said any attempt by the klan to take over or interfere with policing of the Negro section would be strongly resisted by him.

Florida.

Klu Klux Klan – 1936

Bartow Trial Jurors Blast Klan Charges

Signed Statements to Flogging Trial Judge as KKK Plea for Retrial Comes Up—Case May Go to Florida State Supreme Court

By Jack Jameson

TAMPA, Fla., June 14.—The six worker-jurors who convicted the Tampa police quintet in the first kidnaping trial of the Shoemaker flogging-murder case came to the defense of their verdict in sworn affidavits contradicting all charges against them by the Ku Klux Klan defense. The signed statements by the entire jury is in the hands of Judge Robert T. Dewell to be taken into consideration by the court in deciding the Klan defense motion for a new trial. They were presented by the prosecution during arguments at Bartow, over the objection to their introduction by the coterie of Klan counsel. They served to offset 31 alleged defense grounds for a retrial for the five former Tampa policemen found guilty of kidnaping Eugene F. Poulnot from police headquarters on the night of Nov. 30.

Challenge KKK Charge

The jurors denied they were drunk and challenged Pat Whitaker, heading the KKK defense, to place any of the baliffs on the witness stand to testify to such an accusation.

Baliffs J. E. Childs, of Bartow, and O. T. Cason, of Lakeland, witnesses for the defense, during the hearing yesterday for a new trial reluctantly admitted under cross-examination by states attorneys that the liquor was served only in small amounts and that the jurors never became intoxicated. Under questioning by Rex Farrior, chief of prosecution counsel, it was brought out that the whiskey was "always kept in the custody of baliffs"; that jurors were given only "small drinks," and that only before eating the evening meal.

Witness Upholds Jurors

"Did any of the jurors get drunk?", the state attorney asked.

"No sir," was the answer.

They couldn't, it was later learned, since it was placed in the record of the hearing before Judge Dewell that "the jurors were never allowed to keep the whiskey themselves."

It appears that an argument developed between Jurors Turner and Lohr, and that a pass was made by one of them, but it was testified by defense witnesses that the jurors shook hands after Judge Dewell was called to the jury room. After that the matter was never mentioned again.

On the ground that two of the jurors were out of the sight of Baliff Cason for several minutes while on a fishing trip over one of the weekends during the trial, the Klan defense insinuated jury tampering.

Baliff Cason testified he did not know if any one had talked to the jurors during that brief interval nor could he tell whether they had talked about the case themselves.

31 Charges

In reply to questioning by defense, whose witness he was, Cason said: "I did not see any form of any intoxicating liquor on any of the fishing trips, but there was beer."

The Klan defense finally clung to "beer" as the only means left to it to cast a shadow over the verdict of guilty unexpectedly brought in by the Polk County workers against his "boys" whom he called "my friends" in summing up the case for the jury. To support 31 charges, the Klan defense summoned many witnesses, who testified to various minor irregularities before and during the trial, all learned by the gentlemen for the defense after the verdict was announced.

Among those testifying for the convicted quintet were Sheriff W. W. Chase, of Lakeland, Polk County Klansmen of Bartow and Winter Haven and B. C. Scoffield, one of the newspaper reporters who covered the trial.

Scoffield works for Hearst, having sent his dispatches to the International News Service. He is a resident of Bartow.

In its desperate endeavor to pin something on anybody that will aid it in its hopeless effort to take the sting of guilt off the police-Klan-convicts, the defense called as a witness J. C. Rogers, assistant state attorney for Polk County, who is a member of prosecution staff. The prosecutor vehemently denied he contacted the employer of the father of one of the jurors. Klansman Luke Johnson, of Bartow, for the defense asked the question. Pat Whitaker brought John R. Fielding, deputy clerk of the Hillsborough County Circuit Court in Tampa, to put words to that effect in the state attorney's mouth.

May Go to High Court

Before argument for a retrial began, Klansman Whitaker argued on a motion for arrested judgment which attacked the fourth and last count that was left for the consideration of the jury, simple kidnaping. The defense maintained the document was "faulty, defective, charging no offense"; that the essential elements of kidnaping were not alleged and that the remaining count did not charge acts were done "forcibly and secretely."

The hearing was postponed from June 4. Denial of a new trial by Polk County would take the cases out of the lower court and instantly bring them to the Supreme where the same objective will be sought by the Klan defense. The move will also mean that Judge Dewell is to sentence the convicted Klansmen, the penalty running from a year and a day to a maximum of ten years. No indication was given by the court when a decision may be forthcoming.

KLAN FIRES FLARE AGAIN IN MIAMI

Florida Kluxers Apparently Out to Repeat Reign of Terror Which Swept Section Last Year—White Labor Leader Slain.

MIAMI, Fla., Oct. 15—(ANP)—That the notorious hooded vandals of the Ku Klux Klan will repeat their terrorization reign of last year in the Miami section this winter loomed as a likely possibility this week when the "knights" of the order held an open get-together session in broad daylight at a local Lutheran church. Last year the order was active in a campaign to force Negroes into field labor, beating and intimidating them and staging wild rides through Negro neighborhoods.

There seemed little likelihood of police curbing their illegal activities here, with the same officials still in office who permitted the Klan to advertise in newspapers last year that "The Klan Rides Again" and that all persons interested in membership might join.

The extraordinary amount of gambling during the past tourist season and the possibility of a continuation of gambling during the present tourist season."

Written on klan stationery, the letter bore the typewritten signature, "Dade County Chapter No. 26, Knights of the Ku Klux Klan," with the initial "L" in ink. The commission took no act on pending investigation of the charges it contained.

Charge Police Breakdown

Also mentioned in the letter was "the general breakdown of the police department of the city of Miami with the consequent loss of control over the negro situation as is evidenced by the recent as well as past attempts on the part of negroes to molest white women in their homes, on the streets and elsewhere; and to the physical attacks on white persons who find it necessary to visit colored town . . ."

"The situation has reached the point where we can no longer hope to expect relief from the police department . . ." the letter concluded. "It now becomes a necessity that we make a demand upon the city administration to correct this situation within the next 10 days or we shall feel it a solemn duty we owe this community to take over the situation ourselves and provide our own protection by the organization of vigilance committees until such a time as the duly authorized authorities are again able to take over the situation."

Demand Chief's Ouster

A principal demand, however, was that the commission call an election on petitions seeking to abolish the office of director of public safety. The post is held by Andrew J. Kavanaugh, red-haired president of the International Police Chiefs' Association, who has been under fire from various quarters since he came here from Rochester, N. Y., a year and a half ago.

The commission refused to call the referendum when the petitions were presented recently. Attorneys advised they were void on the ground they referred to referendum instead of initiative action.

The klan held a rally in Bayfront Park last week at which Hiram W. Evans, imperial wizard, and Capt. George C. Garcia, grand dragon of the K. K. K. in Florida, outlined the organization's principles. An eight-foot electric cross was set up and two dozen whiterobed klansmen served as guard of honor.

Klan Threatens Miami Crusade

Demands Gambling Curb And Better Protection Of Resort Authorities

MIAMI, FLA., Dec. 16.—(AP)—Miami's City Commission received today a letter purporting to come from the Ku Klux Klan warning the organization would "take over the situation ourselves" with vigilance committees unless gambling were curbed and the district better policed.

The letter cited the disorganization and disruption of police department per-

Ouster Threatens Miami Klansmen

MIAMI, FLA., Dec. 18.—(AP)—The Daily News quotes the Florida grand dragon of the Ku Klux Klan as saying in a telephone interview from Jacksonville today that Dade County Chapter No. 26 will lose its charter if an investigation develops it officially approved a communication received by the city commissioners this week.

Letters purporting to come from the klan threatened that vigilance committees would be formed "to take over the situation" unless the negro district were better policed and gambling curbed. The letters also demanded an election on referendum petitions seeking to abolish the office of public safety director, held by Andrew J. Kavanaugh, formerly of Rochester, N. Y.

nist; Mrs. Leonard S. Thomas, soloist.
CHURCH OF JESUS CHRIST OF
LATTER DAY SAINTS — Praetorian
Hall, 208 Montgomery Street, Sunday
School 10 a.m., Elder S. A. Robbins, of
the superintendency in charge.
FIRST PENTESOSTAL CHURCH OF
JESUS CHRIST — Corner First and
Dewey Streets, West End, The Rev. W.

Klu Klux Klan - 1936

General.

RICHMOND, VA.
TIMES DISPATCH

JUN 10 1936

Turn on the Light

[*The New York World-Telegram*]

The vile doings of the so-called Black Legion form another challenge to the United States Senate, which is being asked by Senator La Follette to authorize a thoroughgoing investigation into violations of civil liberties under the American flag.

Here is an outfit that admits itself an outlaw. Its alleged murders, arsons, assaults and terrorisms are directed against such minority groups as Catholics, Jews, Negroes, Communists and others. While the Michigan police appear to be doing a splendid job of tracking down the actual criminals, they probably will not learn all that should be learned of this revival of the old K. K. K. spirit and of the peculiar breed of humans being gripped by its sadistic religion of hate.

Congressman Dickstein's proposal to investigate the Black Legion is, we believe, ill-timed. His anti-Nazi and other investigations have not been particularly fruitful of results in unearthing significant facts. The La Follette investigation could be better financed and better manned. A House probe of a single phenomenon would not only be a duplication but a dissipation of effort.

The Black Legion's crimes are part of a larger picture of intolerance in America. They are cut from the same piece as teachers' oaths, anti-red forays into campuses, viligante and lynching mobs, anti-labor terrorism and the other manifestations of special-interest racketeering wrapped in the garb of patriotism. It is the Senate's business to light a lamp and search these social rat-holes.

GREENVILLE, MISS.
DEMOCRAT-TIMES

JUN 10 1936

THE BOUNDARY LINES

For seventy-five years the right-thinking classes on both sides of the Mason and Dixon line have endeavored to heal all of the wounds caused by the conflict of 1861-65. At the same time granting the right to pay tribute to the war heroes was generally understood. They have been hampered by narrow-minded thinkers and writers.

Although the section line between the Northern and Southern states grows dimmer ,there occasionally appears the remarks that we detest.

Motorists traveling through Michigan not many months ago received uncomplimentary remarks because of the fact that only one license plate was used on the Mississippi cars. In some cases there were sneering remarks bordering on the sectional as certain officers there interrupted the course of our Mississippi travelers.

At times writers who slurred at the South because of lynchings and the Ku Klux Klan, both of which have the sympathy of only a very small portion of Southerners. But they used a considerable amount of black ink, and tried to make it red, as they told about these things.

The Black Legion that has broken out in Michigan is no source of comfort to Southern people who love law and order. We hope that it will be nipped in its infancy. There is no way in which lynching, Ku Klux, Black Legion, or any other outlaw organization can regulate crime.

We hope that the writings of Southerners on the Black Legion will be sympathetic—which, so far, is being done. We hope Northern writers will reciprocate with the same friendliness.

We must work together as one nation in order to stamp out crime.

BIRMINGHAM, ALA.
NEWS

JUN 9 - 1936

Masks And Robes

Current excitement over the Black Legion in Detroit will serve to remind a great many Americans that their history is rather liberally dotted with somewhat similar movements. The Black Legion is based on the opportunity it gives for the expression of racial and religious hatreds and prejudices, and that has been the usual motivation of such masked and robed organizations. The rule has not been without its exceptions, especially as regards the original intentions of the founders.

The real heyday of masks and robes came in the period following the War Between the States and endured somewhat past the real rigors of reconstruction. It began in a room used as a law office in a small brick building in Pulaski, Tenn., in May, 1866. The room is now a museum of documents and other relics of the Ku Klux Klan that originated there. The klan was formed by a few restless youngsters and probably purely as an outlet for their overabundant nervous energy. Some of the group had belonged to Greek letter fraternities in college, and unwritten history is to the effect that the klan drew heavily on college fraternity sources for its costumes, its rituals, and so on. It was named after the Greek word for circle, "kuklos," and it is unofficially related that the founders sat up late and racked their brains for high-sounding titles and impressive paraphernalia.

It is difficult to be precisely sure in such cases, but it is tradition with certain Pulaski people that the awe-inspiring possibilities of the klan were discovered more or less by accident when a Negro caught sight of one of the members arrayed in his dark draperies. However that may be, it is assured that the klan, in its earliest and best manifestation, was a composing influence in a great many Southern communities that would otherwise have dwelt in chaos almost indefinitely. It was disbanded by Gen. Nathan Bedford Forrest in 1869, partly because scalawags had begun to use it as a screen behind which they could do dirty work and partly because the real need for it had sufficiently diminished.

Contemporary with the original klan, or following it swiftly, came an amazing number of somewhat similar organizations, and one historian is said to estimate that there were as many as 100 different groups that rode by night for their own purposes. The next era of night-riding came in the bitter battles between tobacco growers and buyers, and the influence was felt chiefly in the Black Belt of Kentucky and Tennessee. The period featured floggings, barn burnings, some killings, a raid in force on Hopkinsville, Ky., in 1907, and the generation of a remarkable amount of animosity, suspicion and fear. Then came the second klan, organized on Stone Mountain in Georgia in 1915 on Thanksgiving night. It was another racial and religious prejudice and hatred proposition, and eventually grew widespread and took in a great deal of money. The real beginning of its end came with the trial and conviction of D. C. Stephenson, of Indiana, a former grand dragon in his state, for the murder of a girl.

All these movements have been alike in that they gave play, soon or late, to the worst passions of the worst elements in any community where they existed. They have been, as a rule, subversive from their beginning of all the best things for which America stands, for they have represented the essentially cowardly resolve of certain minorities to impress their own ideas by secret, devious and cruel means. In every other instance they have proved to contain within themselves the seeds of their own destruction, and the Black Legion is obviously no exception. They indicate the need for more true Christianity and genuine education, on the whole.—Memphis Commercial Appeal.

Black Legion In Los Angeles

Order to 'Brothers' to Go Armed Found with Robes in Suitcase—Toledo City Employes, Judges, Cops in Murder Band

(By United Press)

LOS ANGELES, Oct. 14.—Los Angeles police opened an investigation of Black Legion activities in Southern California today following the accidental discovery in an abandoned suitcase of Black Legion paraphernalia.

The paraphernalia was discovered by two radio patrolmen near a hotel frequented by motion picture celebrities.

The officers, R. F. McGarry and W. A. Ellenson, found in the suitcase an outfit of robes and messages advising "brothers" of a new meeting place and instructing them to go armed.

LIKE DETROIT ROBES

The evidence was turned over to Police Captain William Hynes, who reported the robes were replicas of those seized in Detroit during the past year.

The robes were of black satin and had a white skull and crossbones over the heart. The black hoods had eyeholes cut through. A suit of clothes bearing a Los Angeles clothier's label also was in the suit case.

Captain Hynes reported his investigators had discovered some evidence pointing toward Black Legion activities here during the past few months.

Toledo City Employes Black Klan Members

TOLEDO, Ohio, Oct. 14.—A list of municipal employes who are members of the Black Legion has been turned over to City Manager John Edy by Joel Rhinefort, assistant prosecutor of Lucas County.

An investigation of the terroristic band is being made by the grand jury now in session.

After a conference with Rhinefort, the manager asserted that he would question each employe on the list and any who were proved to be members of the Legion would be summarily dismissed.

Francis W. Murphy, executive secretary of the American League Against War and Fascism, whose sensational charges before the City Council began the current upheaval, has been discharged from his position as a recreation supervisor here by the local administration of the WPA.

FOUR FIRED

Local 463, American Federation of Teachers, of which Murphy was an executive board member, is protesting his dismissal as well as those of Calhoun Cartwright, president of the local; Samuel Pollock, executive secretary, and Arthur Pries, legislative agent.

A statement issued by the local said that all four were dismissed as recreational workers because of their union activity, but that Murphy was being persecuted further for his expose of the Legion.

Murphy's charges before the Council are that important city and county officials have been supported by witnesses appearing before Prosecutor Rhinefort. Heading a list of volunteer witnesses was Walter Peters, local editor of the People's Press. Peters' data on the Legion was among the most valuable he received, the prosecutor said.

JUDGES IN LEGION

Murphy's charges have also received new support from Detroit, where Dayton Dean, the notorious triggerman of the Michigan Legion, told of attending rallies here and identified the pictures of three Toledo judges and two Toledo policemen as Black Legionnaires he had seen at these rallies.

The judges he identified were Lee Murlin and Homer Ramey of Municipal Court and James S. Martin of County Common Pleas Court. All three, Dean said, made speeches at the rallies here.

The police officers are Lieutenant Roth and Sergeant "Buck" Dear. Dear has already confessed membership in the Legion, but was

whitewashed by Chief Allen, who said he was "mentally unbalanced."

3,000 IN TOLEDO

On the basis of evidence received so far, Prosecutor Rhinefort estimates that there are between 3,000 and 4,000 active Black Legion members in this city, scores of whom are city and county employes.

The first three city employes called before Manager Edy today on questioning in regard to Black Legion activity were Patrolman George Koban of the police department; Patrick Lavendar, street department foreman, and Steve Albright, superintendent of the street department shops.

Thrill Killers Up for Trial

(Daily Worker Michigan Bureau)

DETROIT, Mich., Oct. 14. — The five Black Legion members who killed the Negro laborer, Silas Coleman, "for a thrill" will come up for trial Oct. 27 according to a decision by Judge McKay Skillman. Three of the defendants, Harvey Davis, Ervin Lee and John Bannerman were already sentenced to life imprisonment for their part in the murder of Charles Poole. The other two are Charles Rouse and James Lorance. Following Dean's story of the whole affair, Lorance also confessed. Bannerman's wife also gave details that corroborated Dean's story.

Supposedly taken to collect $18 wages from his contractor-boss, Coleman was taken to a summer cottage near Lake Pinckney, where the terrorists were having a drinking party. He was taken near a swamp and shot in cold blood.

Klu Klux Klan - 1936

General.

HARRISONBURG, VA.
NEWS-RECORD

JUN 6 - 1936

EDUCATION PLUS VIGILANCE

(Richmond News Leader)

We continue to print at length the details of the trial in Detroit of members of the Black Legion not merely because this is a proceeding of extraordinary interest, but likewise because it is a warning of What Can Happen Here.

It is a vice of long-established representative governments to assume that their rightness will be recognized by all except those who preach communism. History lulls us into a drowsy feeling of security. We fail to realize, as a people, that the mob-mind is as readily excited on the Right as on the Left. Every gang of lynchers thinks itself serving God and law. The Black Legion doubtless extolled ignorance as patriotism and hate as virtue. Left alone, it might have become as pernicious as the Ku Klux Klan and as murderous as the Anti-Semites of Nazi Germany.

Adult education, as we tried to explain the other day is the only cure for this outcropping of hideous animosities in the name of religion, buteducation must be supported by civic vigilance. Our danger is not that a foreign foe will invade our shores and overthrow our institutions. Real danger lies in the indifference of the average honest American to the defiance, within our own land, of the justice and fair play that should be the first and the fullest expression of the representative principle

Klu Klux Klan-1936

General.

Klan Spreading Its Malice Against Reds and Picketers

NEW YORK—That the Ku Klux Klan is riding again and venting its spleen upon Communists, who preach equality of races, and upon pickets who parade before stores not employing colored help, is the gist of a purported stenographic report of a Klavern in Atlanta, contained in the current issue of The New Masses.

The meeting was attended by more than 150 Klansmen in white robes, white hoods, and with faces masked, according to the account. One, who announced himself as A. C. Moore of Columbus, Ga., said, among other things, the New Masses article stated:

"The Communists preach absolute equality of race. He goes to where you are working and puts his arm upon your shoulder and with that arm still warm he goes and puts that same arm around the n——s. He goes to the n——r section and says to them: 'Don't you know you can sit in front seats of street cars and have a white wife?"

Reds Make Dent

"And they are making an impression. N——s are picketing a white store! They are trying to force a white store to hire n——r help. If any of you would go into a store and buy merchandise from a n——r clerk, the God have mercy on your dirty soul. . . .

"Our job now is to find out how many are buying from n——r clerks. Did you see where one of Rogers's stores here had their white clerks take their picture with n——r clerks, and published it in a n——r paper?

"No real white man would take his picture with a n——r. I would no more do that than I would climb Stone Mountain to kiss the . . . of a mosquito. And no real Protestant would buy from a man who would take his picture with a n——r. Any man who would do that—well, all I can say is that may God have mercy on his rotten, filthy soul.

"We got to keep the n——r in his place. We'll show them that the Klan is riding again."

Anniston, Ala. Star
February 23, 1936

National Brotherhood Day

Yesterday and today were set apart by the National Conference of Jews and Christians, a fine American organization with Newton D. Baker at its head, which has as its purpose the promotion of "justice, amity, understanding and cooperation among Protestants, Catholics and Jews." Its ideals will be set forth by several of the leading ministers of Anniston from their pulpits today and the time is ripe for us to hark back to some of the fundamental principles in defense of which this nation was founded. For while we may think we are safe from the racial antagonism that has made a shambles of liberty in Germany, Poland, Italy, Russia and other Old World nations today, the germ of Jew baiting is being brought to American shores just as was the germ of influenza during the Great War.

Happily, we have seen little of this sort of thing here in Anniston and little of it in the South as a whole. But racial intolerance is spreading in our larger cities and we should be prepared to repel it when the plague spreads to our borders. William Dudley Pelley, onetime plumed knight of the Silver Shirts, a sort of imitation Ku Klux Klan, is leading the charge under a rallying cry to the effect that we have "had enough of Jewish influence in federal and state politics" and that a "Jewish bureaucracy is aiming at reducing our once proud nation to the status of prostrate Russia." He boasts that he will "follow Franklin D. Roosevelt in the chief executive's chair of this debauched and prostrate nation and undo the unhallowed mischief of Soviet bureaucracy. Christians, unite," he urges. "You have nothing to lose but your Jewish shackles."

That may be a winning appeal to the ignorant the depraved and the mercenary; but assuredly it is a sacrilege in the ears of every sincere Christian. It just so happens that this new movement toward Christian brotherhood is being given added emphasis on the celebration of the three hundredth anniversary of the founding of a haven of religious liberty in Rhode Island by Roger Williams, that great Baptist reformer who came to these shores in search of religious freedom only to be persecuted and run out of Massachusetts because he believed in equality for Jew, Protestant and Catholic alike. It also happens that yesterday was the birthday of George Washington, who said in an address to the Hebrew Congregation in Newport: "All possess alike liberties of conscience and immunities of citizenship. It is now no more that toleration is spoken of, as if it was by the indulgence of one class of peoples that another enjoyed the exercise of their inherent natural rights. For happily the government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.

Similar declarations were made by Thomas Jefferson, John Adams, Charles Carroll, Roger Williams, William Penn and Lord Baltimore, the great Catholic leader of Maryland. It is pertinent, therefore, that we harken back to their words of wisdom; for religious liberty and civil liberty go hand in hand. Destroy the one and you undermine the other. Indeed, tolerance becomes all consuming. Hence, for the protection of society as a whole we should strive for a larger measure of Christian fellowship and fight racial hatred as we would a pestilence. Moreover, here in the South we should especially seek to secure for the Negro a greater measure of equality before the law and a larger enjoyment of the rights of man; for in proportion as we lift him up we elevate ourselves.

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House Resolution Would Empower Committee of 7 To Investigate Black Terror, Other Groups.

DETROIT, May 27.—(AP)—A congressional investigation to "blow the lid off" the Black Legion and kindred organizations loomed today as additional indications of the widespread ramifications of the secret terrorist society reached investigators.

The demand for congressional action was made by Representative Dickstein, democrat, New York, almost at the moment Prosecutor Duncan C. McCrea telegraphed Attorney General Cummings an appeal for assistance through the Department of Justice.

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Twelve of the 13 men charged here with the "ritual execution" of Charles A. Poole were brought in irons into common pleas court today for examination, but the hearing was adjourned after three witnesses had told of identifying the body of the 32-year-old WPA worker who "knew too much."

McCrea asked the adjournment, explaining that additional arrests, involving the same evidence, were imminent. He pointed out that one of the 13 men charged with Poole's slaying was too ill to appear in court, and that 12 others still are sought on "John Doe" warrants.

Denied release on bail, the prisoners were returned to the county jail.

Threaten Congressmen.

Two Michigan congressmen disclosed they had received threats, possibly from the Black Legion. Representative Hoffman, in Washington, said he had received an unsigned letter telling him he "ought to be under a plot of ground two by six feet," and Representative Dondero said in his last campaign he was told: "If you want to be re-elected, you had better join the Bullet Club." Charges have been made in Pontiac as the home of the Bullet Club is a subsidiary of the Black Legion.

Dondero's home is in near-by Royal Oak, where investigators are examining the possibility that Father Charles E. Coughlin's original Shrine of the Little Flower was burned last March 17 by the Black Legion, which included an inquiry in Colorado to Michigan.

Development outside of Michigan

Inquiry in Colorado.

His assertion was confirmed by documents seized in numerous raids in the middle west. It is the home of V. F. Effinger, whom McCrea has sought to question concerning Black Legion activities.

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and Hubert J. Schwartz, of Cleveland, aided a legislative committee which investigated relief administration in Allen county (Lima) a year ago.

The report, made to the committee but never submitted to the legislature, was released by Phillips on the heels of action by authorities over the state to connect various acts of violence with the black-robed night riders.

Meetings of the legion, the investigators said, were usually held "from 1 a. m. until daylight, in an open field in the country."

The Black Legion used the name of the league in some of its activities.

The attorney general, saying "I will take personal charge of the grand jury proceedings," declared: "One of the things I want to find out is whether the Wolverine Republican League was organized first and then invaded by the Black Legion, or whether it was organized as a blind for the legion activities."

McCrea Rumor Denied.

Crowley indicated he placed little credence in the report that Prosecutor McCrea had applied for membership in the Black Legion, and said he had evidence which "lent color" to McCrea's explanation that he may have signed an application blank unwittingly while campaigning for office.

Crowley also denied rumors that McCrea would be barred from the grand jury hearings.

TARBORO, N. C.
SOUTHERNER

MAY 28 1936

K. K. K. of the North

Surprising as is the discovery of the Black Legion in our midst, the most surprising element is its geographic field of operation. Investigation shows it has spread over fifteen states—Northern States.

In purpose, type of fanaticism and methods of operation it appears to be no different from the almost exclusively Southern Ku Klux Klan of former days. In fact, the only apparent differences are the color of the hood, the name of the organization and the area in which it finds root. The Black Legion, it is learned, is anti-Catholic, anti-Negro, anti-Communist and anti-Jewish. So was the old K. K. K. of the '20's which blossomed lushly in the Dixie moonlight.

The discovery of the Black Legion upsets preconceived opinion that only in the so-called Bible Belt could such an organization flourish. The Ku Klux, it was generally believed by writers and others who commented upon it, was a manifestation of Southern narrowness, an outcropping of Southern intolerance for the things the fundamentalists felt to be contrary to its queer interpretation of what constituted Democracy. The North—the great, tolerant, broad-minded North—could never be the scene of anything like the Ku Klux Klan. Or so we were led to believe.

Which proves only that fanaticism, Democracy carried to the point of secret lawlessness and the yen of a certain type of man to be anti-everything that fails to fit into his narrow philosophy, are not characteristics confined to any geographic location or any racial type.

The Black Legion is anti-Communistic. That is well enough, except that it more than likely has a grossly exaggerated idea of the threat of Communism and a distorted way of going about squelching it. As for its other anti's, it could offer no excuse that would appeal to a straight-thinking individual. In short, the Black Legion is a band of self-styled saviors of the country from the things that the country doesn't need to be saved from. And in that respect it is the identical twin of the old Southern K. K. K. which everyone thought could flourish only in the South America, truly, continues to produce surprises.

Black Legion-Nazi Tie Is Exposed

Daily Worker

Chicago Defender Reprints Terror Klan Circular Against Negroes Written by Hitler Agent in Jena

The "Chicago Defender," nationally circulated Negro newspaper, carries in full a startling reprint of a Black Legion circular, entitled, "How To Wipe Out The American Negro."

Significantly, the circular was written by a Hitler-lieutenant, Heinrich Krieger, and published in "Die Tat," a fascist paper in Jena, Germany.

The "Chicago Defender" disclosed that the Black Legion planned to distribute the circular two months prior to the coming presidential elections, to be mailed in containers of fifty copies each to Black Legion-aires to be given to non-members.

Distributed by Legion

Hitler-fascist Krieger's vilification against the American Negroes is forwarded by Legion officials who state in the circular: **"Mail this anonymously, in plain envelope to a true-blue American white citizen. It is by a foreigner, but it serves our purpose. It tells the truth about the racial situation here, and makes some good suggestions that you may not have thought of. ONWARD! WITH WHITE SUPREMACY! Don't sign your name to ANY of This Literature."**

The circular, too long to reprint here, is one of the vilest attacks on Negroes and particularly American civil liberties imaginable. Fascist-Krieger writes gleefully, speaking of the "jim-crow" laws of the South in this country, that

"The results of such methods of discrimination is that nearly 9,000,000 Negroes in the Southern States have very little political importance as a racial group."

Krieger advocates every legal means to disenfranchise the Negro **and above all lynching,** or as he puts it **"above all, the proper handling of disturbances which the law tolerates. . . ."**

Outlines Steps

After giving every sort of fascist instruction for race discrimination and violence against Negroes, German black-shirt Krieger concludes with, "Therefore, in my opinion, there are three important steps to be taken: First and most important, is that ideas of racial equality must be given up. Especially must no concession be made between (white) and Negro, even in theory.

"Secondly, the 14th and 15th Amendments of the U. S. Constitution must be removed. All Negroes would then be without citizenship and all protecting legislation would then be abolished. Each State would then be free to adopt whatever measures necessary, according to conditions. This would be of inestimable value in the Negro-ridden southern states. . . ."

A Tie-up with the Black Legion

SIR: The following story ties up so thoroughly with the Black Legion case that it may have added interest. . . .

On the evening of April 18 we attended an "evangelistic" meeting at the Methodist Episcopal Church in Sparta to hear "The Truth about Russia," at the behest of a relative. These services to save souls had been going on for about two weeks. The "evangelist" was George Dewey Blomgren. . . .

I cite only one of the numerous atrocity stories he told:

"A group of Russian cavalry out for a lark on a free day conceived the playful little idea of descending upon a peaceful Russian village of 600 inhabitants and slaying the entire population with swords. In one large family a little girl was overlooked, and later found wailing in pools of blood with her mother's severed head upon her lap, surrounded by the bleeding corpses of her small brothers and sisters. The soldiers set fire to the house and remained until the child's cries ceased."

Many children were present, and I watched the face of one fine-looking little fellow. Such an expression of horror and distress came over his face as he turned imploringly from one parent to the other. But his parents were too much interested in the story of Christian love and good will coming from the pulpit to notice.

The speaker talked of the dangers of free speech—taken advantage of to knife religion in the back. He spoke in glowing terms of the capitalist system and asked what the world would be like without it. He said that we are traitors to men like Ford when we complain about him and yet buy his cars and gladly accept

the million jobs he so beneficently deals out.

We returned the next afternoon (Sunday). We were trying to discover who was backing this man—Hearst, Liberty League, Silver Shirts, or what have you. The speaker informed us that a Socialist is a Democrat with his brains knocked out and a Communist one with his heart taken out, that they were Siamese twins and one could not be killed without the other, and he was trying to get rid of both. The pictures the next evening were his "grand finale" showing starvation in Russia. He tried to give the impression that he had taken these "pictures shown in 100 newspapers." You know whose papers they were, of course.

Franklin D. Roosevelt is one of the "Uncrowned Kings of Europe," whatever that may be. This group, the speaker said, was responsible for the Civil War in this country and hired the assassin of Lincoln. He twice interrupted his talk to boast of the presence in the audience of "the wife of the well known Grand Rapids surgeon, Mrs. ——." We at once concluded that the Silver Shirts were backing this man, as Mrs. —— is known to be the leader of that organization in Grand Rapids. . . .

MABEL HACKETT.
Marne, Mich.

Klu Klux Klan—1936

General.

PEORIA, ILL.
TRANSCRIPT

MAY 31 1936

JUDGES, LAWYERS AND THE PEOPLE

Although lawyers, as officers of the court, have an immediate interest in the integrity and capacity of judges, it is the people who are finally responsible for the judiciary.

When the courts fail to restrain over-zealous minorities and protect the rights of individuals, resentful groups take the law into their own hands, and terrorism reigns.

Recent operations of the "Black Legion" suggest what would happen if the courts were abolished. Masked night riders, sworn to secrecy have roamed through many years of American history. The "Ku-Klux-Klan" of the post Civil War period was speedily followed by "The Knights of the White Camelia," "The Council of Safety," "The '76 association," "The Pale Faces," "The Invisible Circle," "The White Line of Mississippi," "The White league," of Louisiana, and "The Rifle Clubs" of South Carolina.

Carpet-baggers and Negroes, in turn, banded for nocturnal night drills into "Red Strings," "Union leagues" and "Heroes of America" until nearly a hundred secret orders were prowling at night.

The "Ku Klux Klan," investigated by many congresses, was originally organized in Pulaski, Tennessee, in May, 1866. It was named after the Greek word for circle, "kuklos" and at one time had or claimed 66,000 members. It was disbanded in February, 1869.

A second Klan organization was organized under the title, "Knights of the Ku Klux Klan." This organization was featured by its fiery crosses and its persecution of Catholics, Jews and Negroes. Its membership mounted into millions after the World war, but declined when D. C. Stephenson, former Indiana grand dragon of the order, was sentenced to life imprisonment for the murder of a girl.

Simple initials served as titles in the "White Camelia" ranks. Of this organization, it was said that four hours was ample to secure the assembly at any central point of a thousand resolute men sworn to do the bidding of their commander. Organized in 1867, this order continued until about 1880. The "American Protective Association," otherwise known as the "APA," arose in the midwest in the latter part of the nineteenth century, and played an important part in state and national politics.

Secret organizations, sworn to violence, usually come into existence as the result of group irritation and impatience over the law's delays, or the futility of government. Most of them are exotic. They vanish under the fierce white light of publicity and the slow but effective processes of public opinion.

Under the American system, both majorities and minorities are held in check by the courts. The founding fathers were jealous of the rights of the individual. The Bill of Rights, which was made the condition of adoption of the body of our federal constitution, was drafted for the protection of the individual. Federal courts have always guarded these rights, including the right of the people to be secure in their persons, houses, papers and effects against unreasonable seizures, the right to immunity from double jeopardy, the right to trial by jury, and the right to vote without prejudice on account of race, color or previous condition of servitude.

Tyranny by Congress or the executive is restrained by an independent judiciary. The veto power is the President's check on Congress. The repassage of a vetoed bill by a two-thirds vote is the congressional check on the executive. Under this system of checks and balances, Congress, exercising only such powers as are delegated to it by the constitution and all other powers being reserved to the state or to the people, is the system under which the United States has attained the greatest national prosperity and the highest living standards in the world.

The judiciary, however, is the weakest link in the chain of governmental authority. The people can retain it or break it. If they break it, dictatorships or terroristic groups will replace orderly government.

IN AN editorial in The New Republic for November 4 on the beating of Joseph Gelders, the Alabama secretary of the National Committee for the Defense of Political Prisoners, we stated that a large section of the press of Alabama had taken a reactionary and hysterical attitude toward the case. It is with the greatest pleasure that we now withdraw this comment, with sincere apologies to the newspapers concerned, and acknowlege the vigorous condemnation of the floggers in many editorials. Our error arose out of a misunderstanding of verbal information from a source in close touch with the case. Specifically we may name for the honor roll The Birmingham News, which commented:

> The miserable floggers must know by now that what they have done is held by the great majority of persons in the state as an illegal act aimed at the foundations of American liberty. But over the nation Alabama shares the guilt which properly belongs only to these three or four persons.

The Birmingham Post, The Montgomery Advertiser, The Birmingham Age-Herald, and no doubt others that have not come to our attention, demanded the speedy conviction of the floggers. The grand jury refused to return indictments in the case, but with the press aroused there is still the possibility of getting action in some way, by a grand jury of another county through which the floggers passed, by the presentation of new evidence to the same jury, or by federal investigation. This is the most hopeful sign of progressivism that has come from Alabama in years, and we trust that the attitude of the press will prevent in future such attacks as those, in the past, on Saul Williams, Blaine Owen, Robert Wood, George Winton, William James, John Harvey, Steve Simmons and Sam Childs.

Klu Klux Klan - 1936

Georgia.
6

OLD KU KLUX HOME FOR CATHOLIC CHURCH

Titles Being Examined Looking to New Owners for Peachtree Site.

Titles to the properties formerly owned and used by the Ku Klux Klan, on Peachtree road between Peachtree way and Wesley avenue, are being examined and as soon as the examination is complete, checks are awaiting the owners of the property, which is to be used for building a Catholic church, a rectory and an attractive library building.

The matter is being handled by Bishop Gerald P. O'Hara, of the diocese of Savannah, which includes Atlanta. The property fronts about 350 feet on Peachtree road, running back east about the same distance, covering the entire block from Peachtree way to Wesley avenue.

The price of the property will not be divulged until all details have been completed and transfer of the property made.

Klu Klux Klan-1936

Michigan.

Black Legion Defendant Describes Plot To Put Germs In Jews' Milk

DETROIT, July 31.—(AP)—An abortive plot to put typhoid germs in milk delivered to Jews was charged to the Black Legion today while a defendant told—in another case—how a black snake whip cracked "perhaps a dozen times" on the back of a rebellious member.

Prosecutor Duncan C. McCrea made public the formal statement of William Guthrie, a Black Legion printer, who accused a high-ranking Legion officer and another man—a "chemist"—of approaching him nine months ago with plans for breeding germs in Guthrie's house.

Guthrie, who said the plot never got beyond the scheming stage, reported the men talked of sending infected milk and cottage cheese into districts "most thickly populated with their enemies."

"Did they name any particular class of people?" Assistant Prosecutor William E. Dowling asked.

Guthrie's story gave a savage twist to the Black Legion investigation, which continued today when six men heard testimony against them in court on charges of abducting and flogging Robert Penland—the first Black Legion trial.

How Penland was lashed for not attending meetings was described in court although the alleged victim himself has denied he was whipped.

There in the field, in the glare of automobile headlights, the shirt-sleeved steel worker was lashed. Gulley said, by a masked Black Legion member as about 300 other members watched the trembling man from the shadows.

Another defendant, Thomas F. Cox, said in a statement that he was a member of the "outer guard" at the field and that about 100 cars were there. The other defendants in the case are Charles King, former Ecorse village trustee; Wilbur Robinson, Black Legion officer, Earl Angstadt and Harold Lawrence.

Testimony that the Black Legion was broken up was given by John Hawkins, a fellow employe of Penland and a member.

Asked why, when he testified he no longer attended meetings, Hawkins replied:

"Because it's busted."

McCrea's aides questioned the man named by Guthrie as "the chemist," but made no comment. Guthrie said he threatened to notify police of the plot and told them it "was a Frankenstein—might fall on them—that it might wipe out the whole city."

Guthrie, one of more than 50 men held on charges growing out of the investigation of Black Legion terrorism in Michigan, is himself accused of conspiracy to incite riot by burning a Communist camp and breaking up a political meeting.

The Black Legion pledged its members to fight against Communism, Catholics, Jews and certain other groups classed as "enemies."

Burlington, N. C. Times
July 22, 1936

AN ANIMAL'S AN ANIMAL

THERE may be a grain of comfort for Dixie-defending Southerners in the latest revelation of the Black Legion grotesqueries—that of the shooting down of an unarmed and unoffending Negro by members of the gang "just for the hell of it".

It at least goes to prove that the more venemously violent aspects of racial prejudice are not confined to the Southland, since this occurrence took place in Michigan.

But leaving out those contrasts of North and South which never get anywhere, anyway, but invariably wind up in senseless and stalemated argument, the fact remains that of all the organizations indicative of the mob spirit and bestiality in the species man, this Black Legion seems to be among the most vicious and degraded.

From a fantastic killing of men "for punishment", its members now are revealed to have slain people "just for fun, for excitement". The whole recital is an all too gruesome evidence of the intoxicating power of illicit banding together among men of a lower order of mentality. Given a whip and a gun, their fervor for fanatical "righting of wrongs" and "protecting civilization" is speedily metamorphosed into a sadistic orgy of blood lust.

There have been intimidating bands which had certain members motivated by the highest idealism. Some of them, unfortunately, have been necessary. The Ku Klux Klan which wiped the South clean of the Reconstruction roaches, and the Vigilantes of the lawless frontier days in the West are both generally upheld by historians as a violent and sometimes vicious necessity if law and order were to be restored—or created.

But certainly there is no place in a republic now for such extremists. They can all too readily be a forerunner of the Nazi-ism and fascism that even now have Germany and Italy on the rack, and are threatening the peace of a world that is clinging so desperately to a waning hope of peace.

An animal's an animal, and it requires a vivid stretch of the imagination to find qualities generally alluded to as "human" in such specimens as have been uncovered in the Black Legion probe. Those men found guilty of the homicidal outrages of this band should be tried for one offense only: first degree murder.

CHEMIST FIRED FOR BLACK LEGION PLOT

Bacteriologist Failed To Report Proposed Typhoid Germ Scheme

DETROIT, Aug. 4.—(AP)—A city bacteriologist was discharged today by the Board of Health after his admission that a high officer of the Black Legion "approached" him nine months ago—and he did not report it—with a plot to contaminate milk delivered Jews with typhoid germs.

Dr. Henry F. Vaughan, city health commissioner, announced the dismissal of the bacteriologist, Charles T. McCutcheon, an employe in the milk analysis division of the health department.

Nothing came of the plot. McCutcheon denied in a statement to Prosecutor Duncan C. McCrea that he bred any germs for the terrorists but admitted being questioned by the legionnaire officer, who has been arrested as one of the 12 defendants in a conspiracy to murder case.

McCutcheon's dismissal was announced as defendants testified at the first Black Legion trial, in which six men are charged with kidnaping and flogging Robert Penland, a steel worker, for not attending meetings of the secret order.

Wilbur Robinson, a former Detroit street railway employe, testified he was a "brigadier general" in the legion and saw Penland at a meeting Oct. 5, 1935, the night of the alleged flogging, but denied any whipping took place.

"The boys had asked me to talk to Penland because he wasn't attending meetings," Robinson said. "I explained things to him and we shook hands. I told the boys to take him home. He wasn't beaten and I never gave any orders to have him kidnaped and brought to the meeting."

In commenting on McCutcheon's discharge, Dr. Vaughan said: "He was fired because he failed to report this plot when approached and because he failed to report that he was a member of the Black Legion."

"He told me he was afraid to tell anyone of the plot, but that does not excuse him."

DETROIT, MICH.
TIMES

JUL 25 1936

Detroit Police Stop Black Legion Protest

(Daily Worker Michigan Bureau)

DETROIT, Mich., Aug. 3.—More than 100 police and plainclothesmen dashed to Rivard and Erskine last night and broke up a mass meeting and parade staged by labor organizations of Detroit's East Side Negro neighborhood to protest the negligence of police in suppressing the Black Legion and especially the "thrill" killings.

The scheduled parade was not permitted to proceed and the mass meeting on an open privately owned lot had hardly progressed when a police radio call brought down the small army upon the assembled Negro and white people.

"The police will take care of the Black Legion. You don't have to meet here," a police officer in charge told Sam Garrett of the American Workers Alliance, who was on the platform.

Citing your correspondent, the police officer demanded to know who he was. When told he said:

"There will be no meeting here. That's your story and you are ordered to leave immediately."

Several policemen immediately were there to escort your correspondent off the field.

Participating organizations in the meeting included the East Side District of the Communist Party, the Conference for Protection of Civil Rights, American Workers Alliance and others.

A new mass meeting was immediately announced by these same organizations.

NEW SHOOTING OF NEGRO TOLD

Another wanton shooting of an innocent Negro by the Black Legion was admitted today to Ecorse police by Dayton Dean, executioner of the cult.

The latest victim of the Legion is James Armour, 34, of 3846 Eighteenth street, Ecorse, who was shot down by three men as he entered his home on Feb. 16, 1935. The bullet lodged in his spine and he was in Ford Hospital for several months before recovering.

According to Lieut. David Genaw and Patrolman Robert McWhirter of the Ecorse police, Dean, at Detroit police headquarters, today involved Harvey Davis and Charles Rouse, both implicated in the Pinckney case, in the shooting of Armour.

DETROIT, MICH.
TIMES

JUL 27 1936

ECORSE OPENS KILLING PROBE

A recheck of all unsolved crimes in which Negroes were victims was under way in the down-river area today as a result of Dayton Dean's latest confession of a Black Legion shooting.

The order was issued by Mayor William W. Voisine of Ecorse after Dean told Ecorse police he, Harvey Davis and Charles Rouse shot Edward Armour, 33, Negro, "just as a prank" in February, 1935.

One of the first deaths to be investigated will be that of James E. Bailey, Negro campaign worker for Voisine. Bailey was burned to

death in February, 1934, when his home at 3857 Seventeenth street, Ecorse, was destroyed by fire in February, 1934.

The fire and Bailey's death were believed, at the time, to have been accidental. Lieut. David Genaw and Patrolman Robert McWhirter have been assigned to the investigation.

FAYETTEVILLE, N. C.
OBSERVER

JUL 25 1938

NOT A LYNCHING.

Members of the Michigan "Black Legion" lured a negro veteran of the World War to a secluded spot and shot him to death "just for the hell of it."

His body was found propped against a pole, perforated by eighteen bullets.

That was near Detroit.

We don't know how that death was listed in Michigan's vital statistics, but we know it was not listed as a lynching.

And we know that if it had happened in Georgia (or anywhere else below the Mason and Dixon line) it would have been listed as a lynching.

So what?

'NEW' BLACK LEGION NOW BEING FORMED

'Better Element' Is Reorganizing It, Convicted Member Says in Detroit Jail.

DETROIT, Aug. 8 (AP).—Earl Angstadt, one of the three Black Legion men convicted of falsely imprisoning a fellow member, said tonight that a "new and greater" organization is being formed by the 'better element'" of the legion "to uphold the Constitution, combat communism and work for the betterment of the community."

From his jail cell Angstadt told news men that he had received this information "from people on the outside" who were important men in the old Black Legion, but did not become embroiled in the crimes charged against the secret society.

Angstadt, an Erorse steel worker, awaits sentence on a conviction of forcing Robert Penland, a fellow employe, to attend a Black Legion meeting.

Preparation for the trials of more than fifty other defendants charged with crimes of murder, kidnapping, arson and rioting is occupying much of the time of investigators of the secret order.

Attorneys will argue Monday on defense motions to dismiss charges against four of the twelve legion men charged with kidnapping and murder after the slaying of Charles A. Poole on May 12.

Black Legion Chief's Arrest Asked on Bomb Terror Charge

By George Morris
(Daily Worker Michigan Bureau)

DETROIT, Mich., Aug. 16.—A development that may force the Federal government to take a hand in the Black Legion situation here was announced by prosecutor Duncan C. McCrea yesterday as he obtained a warrant for the arrest of Virgil F. Effinger, of Lima, Ohio, major-general of the Black Legion on charges that the latter not only directed the terrorist organization in Michigan but was in possession of six hand granades on one occasion while speaking at a meeting here.

Thus far all attempts by the law to reach the top general of the Black Legion failed as the federal government refused to enter the situation while Governor Davey of Ohio ignored appeals from Michigan to take action against the terror organization in his state.

Two Informants

The latest story that implicates Effinger and will most likely force his extradiction from Ohio, was told by William Guthrie, a Legion "intelligence man" who is now awaiting trial for taking part in an attempted breaking up of an election rally for Maurice Sugar. His story was corroborated by Dayton Dean, the Legion's trigger man.

The warrant for Effinger, specifically charging "wilful and malicious intent to destroy life and property" was signed by Common Pleas Judge Gerald W. Great and carries with it a sentence of from one to twenty years.

Guthrie who was one of the insiders in the Legion's terror plans, related how he met Effinger on several occasions at meetings in Detroit. On one occasion he met him at the house of Arthur Lupp, State Commander of the Black Legion, preparing to address a meeting at Findlater Temple. Effinger displayed in a suitcase six hand granades,s of which he said two were gas and four were explosive.

Enough to Blow Up Block

Dean gave details that checked well with those of Guthrie. He told how Effinger came to the meeting at Findlater Temple and immediately asked that a guard be appointed for the suitcases because "there is enough explosives in there to blow up the whole block." After the speech Effinger displayed the granades to Dean and several others and said, "We are going to use that in the near future."

Dean quoted Effinger as having said in his speech:

"The Legion is going to take over the United States government. They did it in Russia with 30,000 men and we are stronger than that in the United States and we are better equipped."

The day for the coup d'etat was set at Sept. 16, 1936, a day after the primary election in Michigan, Dean said.

In an interview with a delegation from the Conference for Protection of Civil Rights, Prosecutor McCrea revealed that refusal of the federal government to enter the Black Legion investigation constitutes the main obstacle to speedy prosecution of the terrorists. He also charged that the Republican judges actually aided the terrorists.

He expressed confidence, however, that the trial of five "thrill killers" of the Negro hod-carrier Silas Coleman, now set for Sept. 6, will result in sure life sentences. "When that happens we expect some of them to give us information that will in a great measure help us to uncover the real heads of the Black Legion," he said.

"Our hands are tied," McCrea told the delegation. "The federal government will not take part in the investigation, although asked to do so several times. Attorney-General Cummings asserted that the activities of the Black Legion do not overlap the state line of Michigan and therefore the federal government has no jurisdiction in the case.

Michigan G.O.P. Hit

"Michigan state authorities are interfering with the investigation. In a few cases floggers and kidnapers went scott free. The grand jury investigation now being conducted by State Attorney General Crowley is producing no results. Only in isolated cases have we received full cooperation from the state. In one county our investigators were balked. With a single exception of the prosecutor himself all the other officers were Black Legion members. In the Penland flogging case Republican Circuit Court Judge Meynihan set free the three leaders of the Black Legion and jailed the small fry. You must know that I am not responsible for the verdicts of Republican judges.

Ohio Governor Cold

"Fully realizing the grave danger of the Black Legion to law and order I attempted to get cooperation from all sources, including that of the other states. I wanted to forward to Governor Davey, of Ohio, some very valuable information on the activities of the Black Legion in that state. He sent me a rather impertinent reply jeering at the possibility of the existence of the Black Legion in his state. Other governors take a similar attitude and their cooperation is not to be expected."

Civil Rights Conference Scores Greased Escape for Effinger

DETROIT, Aug. 27.—With Virgil Effinger, national Black Legion chief, having been permitted to slip through the very fingers of Ohio authorities and Michigan agents, the Conference for the Protection of Civil Rights today, in a telegram to Senators Vandenburg and James Couzens, recalled their promises of Federal intervention and an investigation to bring the hooded terrorists to justice.

A telegram demanding that G-Men be placed on the tracks of Effinger and other fugitives was sent by the conference to the LaFollette Senate Civil Liberties Committee.

Effinger's easy escape from the hearing in Columbus, Ohio, on his extradition was regarded here as virtually a release. Ohio authorities for two weeks refused to extradite the terrorist, though he was charged with carrying bombs while at a meeting here.

Prints 10,000 Leaflets

Governor Davey of Ohio has not yet made up his mind to grant an extradition warrant and thus facilitate a search for the criminal.

Meanwhile, all Black Legion chiefs named in warrants have surrendered today but Isaac "Pegleg" White, former Detroit policeman who evaded arrest for several weeks.

Refused to Arrest Him

His arrest is regarded especially important, as he is one of the founders of the Black Legion and is most intimately connected with anti-labor murders and espionage. His escape of arrest was due to a three-months delay of the grand jury to indict him, although he was the first man named in the Barchuk and Bileak murders. Prosecutor McCrea recently told a delegation from the Conference for Protection of Civil Rights that he had White in his office but didn't have anything on him.

Examination of all twenty-two Black Legion members recently indicted on criminal syndicalism charges will be held on Monday. On that day the trial of thirteen terrorists charged with the murder of Charles Poole will begin. Earl Angstadt, the third kidnaper convicted, was sentenced to serve three to seven years in the state prison.

Labor Protests Charge

Labor organizations here have protested against the indictments of the Black Legion terrorists being based on the criminal syndicalism law and demand that they be prosecuted for the specific crimes they are charged to have committed. The use of the syndicalism law is considered by labor as an easy way out and conviction is very doubtful.

On the other hand the Republican machine hopes in this manner to revive the law to be used against workers, Socialists and Communists. The three-month delay of the Republican grand jury to bring in indictments leaves no doubt that they schemed escape for these elements from their own ranks.

Klu Klux Klan—1936

Michigan.
6

BIRMINGHAM, ALA.
NEWS

MAY 25 1936

The Black Legion of Nightriders

Thus far not a great deal has been definitely ascertained by the Michigan authorities concerning the activities and the extent of the hooded terroristic organization known as the Black Legion. But what has been definitely learned is shocking in the extreme, and the unverified reports concerning this band of nightriders, on top of the established facts, are of such a nature as to demand the most thorough and searching investigation.

Four members of the Black Legion have confessed the slaying of one man. There have been many other deaths in Michigan recently whose circumstances lead the authorities to suspect that the Black Legion may have been responsible for them. "We are checking all unsolved murder cases and a number of questionable suicides in the state," says Capt. Ira H. Marmon, of the Michigan State Police, explaining that he had received a report that the Black Legion was responsible for a number of deaths which had been made to appear suicidal.

Astounding reports have been reaching the Michigan authorities since the existence of the Black Legion became known. Scores of citizens are said to have been victims of mob terrorism. There are reports of numerous floggings in addition to slayings. Capt. Marmon has termed the secret vigilante organization "the strong-arm agency for the Ku Klux Klan." Hiram W. Evans, imperial wizard of the Klan, has indignantly denied that the Black Legion has any connection with the Klan. It is said that prospective members of the Black Legion are asked if they will "take up arms against Jews, Negroes and Catholics."

Units of the organization are reported to have been formed in several Michigan communities. The authorities are investigating reports that it has a membership totaling 135,000 in Michigan, and that 50 persons in that state had been marked for death by these terrorists. Whether or not the organization has extended its membership and activities into any other state is not clear.

Some of these reports may be exaggerated It is to be hoped they are. It is almost inconceivable that such an organization could have developed on so extensive a scale. Yet when it is remembered that other organizations with similar motives, and with records of terrorism and brutality, have become strong at other times in our country's history, the authorities cannot afford to take lightly any report, no matter how fantastic The whole country will keep its eyes on Michigan until all the facts are fully disclosed.

NORFOLK, VA.
LEDGER DISPATCH

MAY 25 1936

That Black Legion and Others

Members of that murderous mob which is itself the Black Legion and which has been functioning in Wayne County, Michigan, have chosen the wrong time for their activities. Underneath the whole thing, of course, is a vicious development of the money-making urge: when the gang is finally rounded up and its methods and motives given publicity, it will appear that the payment of dues and contributions of various sorts has been at the bottom of it all. There is, obviously, no more thought of patriotism or protection in any of its vicious activities than there has been in any other of these masked and secret "rider" conspiracies—since the dissolution of the true Ku Klux Klan, which was organized and operated as a work of necessity in some of the Southern states following the conclusion of the War Between the States. And this gang, to repeat, has chosen the wrong time for its activities.

These Black Legionnaires—and it is grossly inappropriate to apply so fine a word to those slinking killers—will not be able to get by, as we say, with that sort of thing nowadays. Two striking instances within the week have gone to show that, even in the Deep South, the so-called vigilante business is in bad repute.

Last Thursday a jury in a Federal court in Louisiana awarded judgment for damages against a sheriff and his sureties in favor of the parents of a Negro who had been lynched. True, the judgment was obtained in a Federal court, but the members of the jury were residents of Louisiana. The *Ledger-Dispatch* has been contending for years that if sheriffs and deputies were held practically responsible for the safety of their prisoners, there would be comparatively few seizures of prisoners in the hands of officers. This judgment, in all probabiiity, will stiffen the courage of many an officer in the Deep South who otherwise would offer only perfunctory resistance, if any, to mob-murderers.

And the conviction on Saturday, again in the Deep South, in Florida, of five members of the kidnaping and flogging gang, which beat three men and one of them to death, is another welcome and salutary warning. That conviction, too, was obtained in a state court.

If those two judicial results reflect growing sentiment in the Deep South, what chance has the infamous Black Legion of continuing to function in Michigan?

COLUMBIA, S. C.
RECORD

MAY 26 1936

BIGOTRY STILL RIDES.

When the new night-shirted Ku Klux Klan came out of Atlanta on the wings of high-pressure salesmanship after the war there were those in the South, who although they should have known better were misled by the high-sounding declaration of klan purposes—"the preservation of American institutions and the supremacy of the white race, the glamor of fantastic titles or the hope of political power.

But in South Carolina at least they were not many for long. Some of the original members, later to be known for distinguished liberals, turned against the klan and became its bitterest opponents. And those who took its prejudices seriously left it for financial reasons, if no other. They did not have to pay $10 or whatever the price was and hide behind a bed sheet or a night shirt to exercise "their right" of mob violence, a right incidentally still preserved for them by the indifference of states. Presently they did no more paying and the Ku Klux center became, not the South, but the Midwest. Eventually after some of its more ambitious leaders thereabouts had run into trouble with the courts it declined even there and went out of business as an agent of terror with the "new economic era."

In Germany the Nazis, German equivalent of the Ku Klux, using brown instead of night shirts, and in Italy the Fascists, sporting black shirts instead of brown, came to power and Mussolini and Hitler were made dictators. And their ideas in essence were Ku Klux ideas, their methods Ku Klux methods. Hitler feeds on anti-Semitism; National Socialism seeks to preserve the Nordic supremacy. Mussolini, first to win his way to power, set the European fashion in terrorizing Catholics, Jews and Negroes.

It is of course the custom in the United States to forget the Ku Klux obscenities except, ignoring Indiana history, to make them out as a sort of typical phenomenon of the benighted South and fears of fascism in this "land of the free and home of the brave" have been generally laughed out of court. Such things couldn't happen here.

The Record doesn't see a fascist government around the next corner in the United States any more than it saw a revolution at the breaking point in 1932. But there are some things that disturb. In Louisiana there was for example the dictatorship of Huey Long and the impotence of the people of Louisiana in the face of it until a patriotic assassin removed Long from the scene and gave some of his imitators in other states to pause and think.

And there is the recently uncovered Black Legion in Michigan, said to number 135,000 armed men, dedicated to "100 per cent Americanism, clean politics, anti-communism, and the good behavior of its members." It is, like the others, an anti-Jewish, anti-Catholic, anti-negro organization and its chief business as so far revealed by the Detroit expose has apparently been the promotion of a reign of terror, ending with the slaying of a WPA worker, for whose death four are now being held, floggings, tortures and a little politics thrown in.

It is nothing in itself perhaps to alarm, but it is testimony to the fact that the spirit of bigotry upon which these fascist Caesars feed is not dead yet in the United States.

BOSTON, MASS.
TRAVELER

MAY 26 1936

New Bigotry Brigade?

One winter-bound night early this year a band of masked men skulked away from a scene of degradation of their own making. Behind them they left a mass of quivering flesh that would live in suffering for several weeks and then die. They had flogged Paul Avery, who they said had beaten his wife. Another story is that they had flogged him so he would not tell certain secrets.

The state of Michigan, where this episode occurred, has had several not entirely explained deaths.

Today the authorities at Jackson, Mich., are investigating the activities of an organization calling itself the Black Legion, which authorities believe is anti-Catholic, anti-Jewish, anti-Negro and anti-communist.

The county prosecutor says he has some confessions. Further, officials say they have found papers which describe the Black Legion as a guerrilla army working in politics against both the Republican and Democratic parties. One report says the membership in Michigan alone is 135,000.

A state police captain is investigating a report that fifty Michigan men are marked for death and that effort is made to make murders appear to be suicides.

A most disturbing report is that the members go armed.

How much of this picture is imagination and how much fact has not been determined. In America there is no place for the tactics described. Only the most ignorant people enroll, lured into the outfit by the urgings of sharpers.

Hitler rose to power by consolidating hates. But he was and is a fanatic rather than a sly money-racketeer. Most of these American hate outfits are money rackets. Thus this latest menace may be exposed, and die.

PORTLAND, ME.
EXPRESS

MAY 28 1936

THE BLACK LEGION

The Black Legion which it is said has a membership of 40,000 persons in Michigan and of 6,000,000 in the Country has lately come to Country-wide attention by being charged in Detroit with the ritualistic murder of one Charles A. Poole, a WPA worker and with being suspected of beating a prison guard, Paul Every, so severely that he died a few weeks later. Poole was asked to join and wouldn't and Every belonged and wished to withdraw was a passing phenomenon of our social life in the United States.

Glib tongued and unprincipled adventurers go around from place to place and invite the intolerant to unite themselves under the banner of their organization to save America for Americans, as they state it. They get them, too, not especially through their eloquence but because the intolerant are there waiting to be invited.

There is no Klan in Maine at the present time and no organization of the kind in the State, so far as we know, but one of course may spring up.

Apparently the Black Legion is more violent in its methods than our Maine Klan was, although the organization practiced violence elsewhere in sporadic instances. It would probably be difficult to get together a society of murderers in Maine of any size even though formed to save the State from "foreigners." There probably is Black Legion material in this State, to our shame be it said, but society in general would not tolerate such an organization even though the Klan got along pretty well.

The Black Legion proposes to overthrow the Government, rather an absurd proposition one would say off hand, were it not for implications that have a special significance today. Hitler took over the government of Germany and Mussolini became ruler of Italy by Black Legion methods. Could it be done in this Country under the right leadership? Probably not, but the question is being asked.

Other Legion murders are suspected.

Like the Ku Klux Klan, which at one time flourished mightily in Maine, the Black Legion has for its background intolerance and racial prejudice. The purpose of the organization is to persecute Catholics, Negroes and Jews. Precisely this was the avowed purpose of the Klan and it is the principle upon which the Nazis are operating in Germany under Hitler. There seems to be plenty of material in this Country for the organization of such societies as the Klan and the Black Legion when the leadership materializes that is able to unite it into a concrete body. The organization of the Klan

PROVIDENCE, R. I.
NEWS-TRIBUNE

MAY 28 1936

THE BLACK LEGION

When the Ku Klux Klan withered and died, partly from exposure as a racket for its leaders and partly because even the most vicious and ignorant humans cannot feed on hatred and prejudice interminably, the good people of the United States hoped they were rid for a long time of such associations. The disclosures concerning the Black Legion in Detroit during the past five days show how sadly that hope is disappointed. Much remains to be disclosed concerning the Black Legion. Federal and State investigators will unmask the organization. Already it has been revealed as a nauseating illustration of the extent to which narrow prejudice can destroy the normal instincts of supposedly reasonable men.

The Black Legion has cheap, puerile, ignorant bigotry in common with the Klan. It had part of its foundation, at least, in hatred of Catholics, Jews and Negroes. It used the terrorism that, coupled with that bigotry, marked the revival of the Klan a decade and a half ago. But there is indication that the Black Legion went much farther in its cowardly operations than the Klan ever did. The Michigan terrorists combined the worst features of the Klan with the methods used by European political organizations of the worst sort. It very definitely can have no part in the American scene.

Printer for Terror Band Is Questioned in Wife's Beating

(Daily Worker Washington Bureau)

WASHINGTON, D. C., June 18.—The flogging of Mrs. William Guthrie, witness against the Black Legion, was denounced today by Senator Elmer A. Benson, Farmer-Laborite of Minnesota as a "shocking outrage" and as "conclusive proof of the need for a federal investigation," as proposed in his resolution.

Benson showed grave concern, however, over the attempts being made to adjourn Congress before Monday. Under these circumstances, he pointed out, even if his resolution is reported favorably out of committee it might require a unanimous vote to bring it up for discussion.

6-19-36

DETROIT, Mich., June 18.—Authorities today directed their inquiry toward what they termed "another Legion killing," and ordered the arrest of a new Black Legion suspect in the plot to murder William W. Voisine, village president of Ecorse.

Homicide squad officials were quietly investigating reports of another death that might be traced to the night riding vigilantes. They questioned William Moore, whose connection with the Legion was disclosed when he appeared in court for a hearing on a writ of habeas corpus.

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McCrea's "Investigators"

Despite the fact that, aside from its fascist murder activities, the Black Legion has been exposed as a tool of the auto spy system—Duncan C. McCrea, prosecutor of the Legionaires now in custody, has launched a movement to organize school children between the ages of ten and eighteen, as an "Junior Investigators," to practice spying on other children and adults.

"Every member will also be given identification card with his picture as well as a real badge. All this will be free," the letter declares.

Using his office as a headquarters and school teachers to make recommendations of boys "qualified for leadership" he has issued letters of boys, offering a chance to learn to be "investigators" in fingerprinting, shadow work and elementary criminal law," to hundreds of boys and such attrac-

BOSTON, MASS.
TRAVELER

MAY 26 1936

New Bigotry Brigade?

One winter-bound night early this year a band of masked men skulked away from a scene of degradation of their own making. Behind them they left a mass of quivering flesh that would live in suffering for several weeks and then die. They had flogged Paul Avery, who they said had beaten his wife. Another story is that they had flogged him so he would not tell certain secrets.

The state of Michigan, where this episode occurred, has had several not entirely explained deaths.

Today the authorities at Jackson, Mich., are investigating the activities of an organization calling itself the Black Legion, which authorities believe is anti-Catholic, anti-Jewish, anti-Negro and anti-communist.

The county prosecutor says he has some confessions. Further, officials say they have found papers which describe the Black Legion as a guerrilla army working in politics against both the Republican and Democratic parties. One report says the membership in Michigan alone is 135,000.

A state police captain is investigating a report that fifty Michigan men are marked for death and that effort is made to make murders appear to be suicides.

A most disturbing report is that the members go armed.

How much of this picture is imagination and how much fact has not been determined. In America there is no place for the tactics described. Only the most ignorant people enroll, lured into the outfit by the urgings of sharpers.

Hitler rose to power by consolidating hates. But he was and is a fanatic rather than a sly money-racketeer. Most of these American hate outfits are money rackets. Thus this latest menace may be exposed, and die.

PORTLAND, ME.
EXPRESS

MAY 28 1936

THE BLACK LEGION

The Black Legion which it is said has a membership of 40,000 persons in Michigan and of 6,000,000 in the Country has lately come to Country-wide attention by being charged in Detroit with the ritualistic murder of one Charles A. Poole, a WPA worker and with being suspected of beating a prison guard, Paul Every, so severely that he died a few weeks later. Poole was asked to join and wouldn't and Every belonged and wished to withdraw was a passing phenomenon of our social life in the United States.

Glib tongued and unprincipled adventurers go around from place to place and invite the intolerant to unite themselves under the banner of their organization to save America for Americans, as they state it. They get them, too, not especially through their eloquence but because the intolerant are there waiting to be invited.

There is no Klan in Maine at the present time and no organization of the kind in the State, so far as we know, but one of course may spring up.

Apparently the Black Legion is more violent in its methods than our Maine Klan was, although the organization practiced violence elsewhere in sporadic instances. It would probably be difficult to get together a society of murderers in Maine of any size even though formed to save the State from "foreigners." There probably is Black Legion material in this State, to our shame be it said, but society in general would not tolerate such an organization even though the Klan got along pretty well.

The Black Legion proposes to overthrow the Government, rather an absurd proposition one would say off hand, were it not for implications that have a special significance today. Hitler took over the government of Germany and Mussolini became ruler of Italy by Black Legion methods. Could it be done in this Country under the right leadership? Probably not, but the question is being asked.

Other Legion murders are suspected.

Like the Ku Klux Klan, which at one time flourished mightily in Maine, the Black Legion has for its background intolerance and racial prejudice. The purpose of the organization is to persecute Catholics, Negroes and Jews. Precisely this was the avowed purpose of the Klan and it is the principle upon which the Nazis are operating in Germany under Hitler. There seems to be plenty of material in this Country for the organization of such societies as the Klan and the Black Legion when the leadership materializes that is able to unite it into a concrete body. The organization of the Klan in Detroit during the past five days show how sadly that hope is disappointed. Much remains to be disclosed concerning the Black Legion. Federal and State investigators will unmask the organization. Already it has been revealed as a nauseating illustration of the extent to which narrow prejudice can destroy the normal instincts of supposedly reasonable men.

The Black Legion has cheap, puerile, ignorant bigotry in common with the Klan. It had part of its foundation, at least, in hatred of Catholics, Jews and Negroes. It used the terrorism that, coupled with that bigotry, marked the revival of the Klan a decade and a half ago. But there is indication that the Black Legion went much farther in its cowardly operations than the Klan ever did. The Michigan terrorists combined the worst features of the Klan with the methods used by European political organizations of the worst sort. It very definitely can have no part in the American scene.

PROVIDENCE, R. I.
NEWS-TRIBUNE

MAY 28 1936

THE BLACK LEGION

When the Ku Klux Klan withered and died, partly from exposure as a racket for its leaders and partly because even the most vicious and ignorant humans cannot feed on hatred and prejudice interminably, the good people of the United States hoped they were rid for a long time of such associations. The disclosures concerning the Black Legion

Printer for Terror Band Is Questioned in Wife's Beating

(Daily Worker Washington Bureau)

WASHINGTON, D. C., June 18.—The flogging of Mrs. William Guthrie, witness against the Black Legion, was denounced today by Senator Elmer A. Benson, Farmer-Laborite of Minnesota as a "shocking outrage" and as "conclusive proof of the need for a federal investigation," as proposed in his resolution.

Benson showed grave concern, however, over the attempts being made to adjourn Congress before Monday. Under these circumstances, he pointed out, even if his resolution is reported favorably out of committee it might require a unanimous vote to bring it up for discussion.

6-19-36

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Klu Klux Klan—1936

Michigan
6

BLACK LEGION'S SPREAD SURPRISING TO MIDWEST

Armed Organization, of Undetermined Origin, Found Social and Economic Conditions Ripe for Its Growth

By WILL LISSNER

DETROIT, Mich., May 30.—In the exposure of the Black Legion the Midwest has come face to face with a native mass movement with roots in various parts of the country which in the name of the Constitution and "true Americanism" would deny to large elements of the population the equal rights guaranteed to them and would concentrate political power in its own leadership allegedly by terror and violence.

Coming on top of the flogging trial in Tampa, Fla., and previous publicizing of the activities of subversive groups in New York, of the Silver Shirts in the South and the Silver Legion in California, and at a time when dictatorship and its European implications are an issue between the major political parties, disclosure of the existence of an armed organization of thousands of citizens, functioning with military efficiency, has alarmed civic leaders in the inland industrial States.

They are striking back swiftly, seeking to stamp out the organization before it makes further headway. In Michigan, where the ritualistic cult was first brought to light by the slaying of a 22-year-old Detroit WPA worker, Charles Poole, and where its membership is at least 3,000 and is estimated by the authorities at 40,000 in a divisional set-up arranged for 135,000, thirteen members are being prosecuted on murder and kidnapping warrants, four on kidnapping and assault writs, three have been summarily dismissed from the employ of the State and twelve have been detached from State, county and city payrolls under suspension.

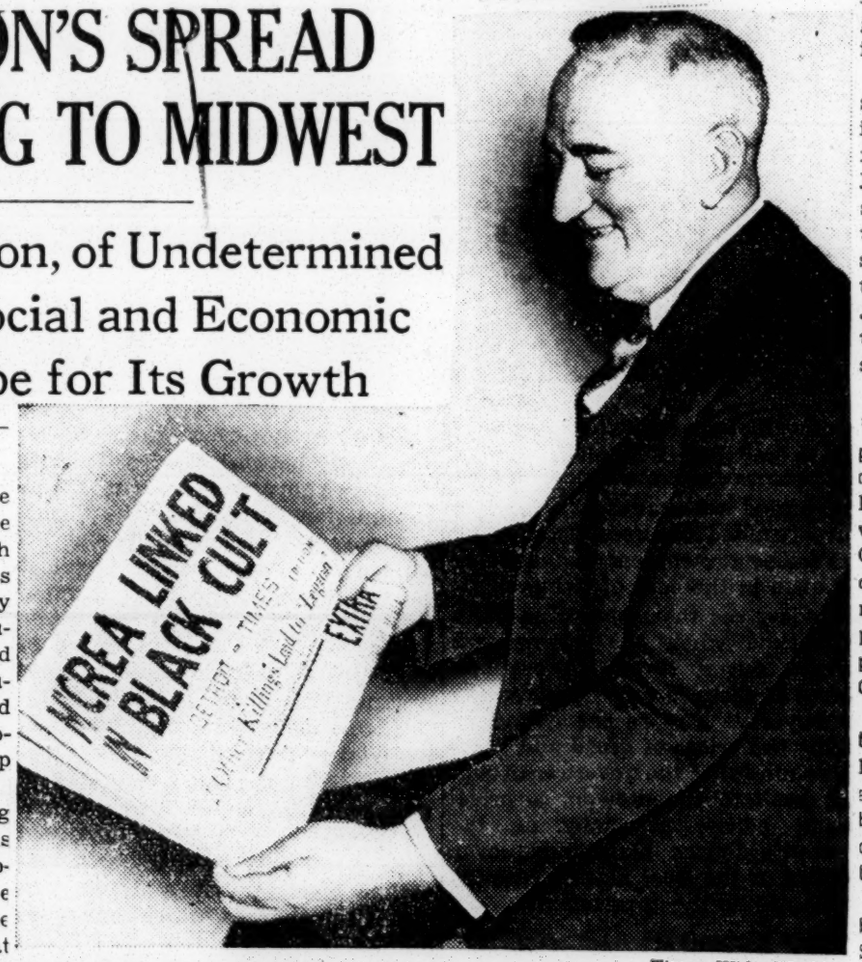
Examining Tentacles

Investigations by Prosecutors Duncan C. McCrea in Wayne County, which includes Detroit, and Owen Dudley of Jackson County have brought out evidence starting a State-sponsored investigation of the hooded order's activities. State and local executives, anxious to placate public opinion, have begun inquiries into the secret affiliations of their staffs, from police to street-car forces.

Police and prosecutors in other States are checking their unsolved cases of mob violence, and persons who complain of victimization by terrorists in more than one-third of the States, now that the power of the secret "army" has been challenged, have provided Mr. McCrea with possible clues to kindred groups which may be affiliated with the Black Legion, either by mere inter-communication, as present information indicates, or perhaps by more closely knit integration.

Detroit, which thought it saw the last of secret terrorist groups with political aims when the Ku Klux Klan in Michigan and other States died from overexposure to public

PROSECUTOR



Times Wide World.

Duncan McCrea, directing the probe of the Black Legion at Detroit. He smiles at a report that he is connected with the cult.

scrutiny, first became aware of the existence of the Black Legion when a ballot scandal broke last August. Believed negligible, it was treated as a laughing matter for a time and then was forgotten until the Poole murder revealed the seriousness of the movement.

Offshoot From Klan

Two detectives, Jack Harvill and Charles Meehan, uncovered the Black Legion as a terrorist band. With the finding on May 13 of Poole's body with five gunshot wounds in a ditch outside the city to explain, they combed the youth's former haunts until they turned up information which led to a little meeting hall where an unaffiliated group calling itself the "Wolverine Republican Club" mixed in a strange way practical insurgent politics and weird rites.

The scores of witnesses subsequently located and the evidence seized in raids showed that the organization was a dues-paying proposition in 1934, had existed in looser form in 1933 and probably was organized in the Midwestern States in 1932.

Its prior history is turning up scrap by scrap. Several of the more important known leaders were formerly active in the old Ku Klux Klan, and the Black Legion itself seems to have been a split-off from the Klan. In its membership it has similar types. Officials here credit the story attributed to Dr. William Jacob Shepherd of Bellaire, Ohio, that it rose up within the Klan itself.

Dr. Shepherd, Health Commissioner of his community for the past fifteen years at $25 a month, is quoted as saying that he was an Exalted Cyclops of the K. K. K., withdrawing eleven years ago when Grand Dragon James A. Colescott objected because he had a black-robed "black guard," which surpassed its parent organization in popularity. He organized units in Ohio and Indiana.

"Then pretty darn soon the darn thing grew by leaps and bounds," Dr. Shepherd related. "Everybody around here wanted to be one of my blacks, and then everybody started organizing black groups, and then there were a lot of wildcat outfits."

At first it seemed to attract members by its unusual rites. As Dr. Shepherd explains, "You have to have mystery in a fraternal thing to keep it alive; the folks eat it up."

Pressure to Get Jobs

But in the Midwest in general it first gained members in large number in the black years of the depression. Arthur Lupp of Detroit, "chief recruiting officer," who like Dr. Shepherd and other officers now known, denies that the hooded order countenances violence and holds the Wolverine Republican Club "regiment" to be unique in the division, gave a clue to the reason.

"You must remember that during this depression there was this condition: many men were depressed," he said. "They had no purpose in life. They were floundering around. This organization gave them an interest in life."

The formal statements of witnesses give added details. They say that the organization existed primarily as a vehicle by which the members could help one another, an ideal which was expressed practically in one determination: to keep its members in jobs.

Each employed member was obligated to do his best to get a job in his shop, if in private employment, or in his bureau if in public employment outside the Civil Service, and some of the "tasks" assigned members, "task" which they were sworn under fearful oaths to fulfill faithfully.

Moreover, one of the victims who complains he was terrorized by the Black Legion is a small employer. He says he was taken to full-dress meeting and threatened by the black-robed assemblage with flogging or death if he fail to reinstate two men, members, whom he had discharged. The men were reinstated.

Until this was discovered the police were surprised at the high percentage of employment existing among witnesses and prisoners, much higher than the general level for unskilled factory workers as many of the members are. But it fails to satisfy them completely.

Justice of the Peace Ernest J. Rogers, who has been sitting as the one-man grand jury in Jackson, has been concentrating on this angle and confesses himself thus far baffled.

"There isn't enough money in it for it to be solely a racket," he said.

Other investigators have the same impression. Besides, it has not been discovered where the dues of 10 cents a month go and what becomes of the profit on the sales of robes, hoods, masks and other regalia. Dr. Shepherd, Mr. Lupp and Vergil F. Effinger, described as a "leader" in Lima, Ohio, and Wilbur Robinson, "Brigade Commander" in Detroit, all live modestly. All have jobs—or did until the investigation began.

Effect of Labor Influx

In the industrial section of the Middle West a combination of social forces has spurred recruiting, apart from the membership obtained under false pretenses and maintained under compulsion.

From 1921 to 1929 there was an influx of unskilled factory labor from the hill sections of the South, chiefly from parts of Kentucky, Tennessee and Mississippi, to which the industrial States are linked by highways. These workers took advantage of the seasonal jobs in the factories, returning to their hill homes during slack periods.

Clannish, they lived by themselves in neighborhoods within this city of cosmopolitan communities. Their wages were rarther low and their jobs insecure, for the average worker of the type is said by employers to be not particularly suited for factory work and not likely to be hired until more adjusted workers were all employed.

The legion also attracted the type of worker who felt the need of an outside interest to counterbalance the monotony of the repetitive process of modern mass production

offered adventure and power. To him the organization become even more serious a menace to democracy had "a man on a case has withdrawn. white horse" appeared "I didn't know what I was letting myself in for," he said. The judge hearing the case had to take cognizance of the feeling from the bench and point out that defense counsel were obliged to do their duty as officers of the court.

Decline May Be Rapid

The rapid, its decline may set an even better record. The Midwest, looking on the Black Legion not as a renascence of the Ku Klux Klan but as a brand of "Americanism." Hostile Editorials and cartoons appear in the newspapers denouncing the organization and its brand of fascism that might have esses of modern mass production intently. So deep is the feeling, one day after day in the court proceedings

Klu Klux Klan—1936

Michigan 6

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FIGURES IN A KU KLUX EVOLUTION

Times Wide World and International.

V. F. Effinger (above), of Lima, Ohio, who claims to be leader of the "Black Legion" in three States. At left are two robed men of an Ohio secret order preceding the legion. Shown at top is Dr. William J. Shepherd, who organized a "black" group within the Ku Klux Klan. A follower is shown in black robe.

Black Legion Abduction Murder Charges Pressed As Hearing Opens

Advertiser 6-3-36

DETROIT, June 2.—(AP)—Pressing the drive to bring into the open details of the night shrouded terrorism of the Black Legion, State and county joined today in asking that 13 members of the hooded band be held for trial here on murder charges while new demands were made in Washington for Federal assistance in rooting out the organization.

William Green, president of the American Federation of Labor, told Atty.-Gen. Cummings, that the union had evidence pointing to cooperation between the Black Legion and "labor spies," and asked that the Department of Justice enter the investigation.

Montgomery

At the same time, Representative Dickstein (D), New York, told the House in urging adoption of his resolution for a congressional investigation of the secret society, that he had information an army reserve captain was training Black Legion members.

ale.

Representative Sadowski, Detroit Democrat, charged the Black Legion with "affiliation with certain county Republican politicians," and said the public had lost confidence in police departments because of a belief some officers belong to the Black Legion.

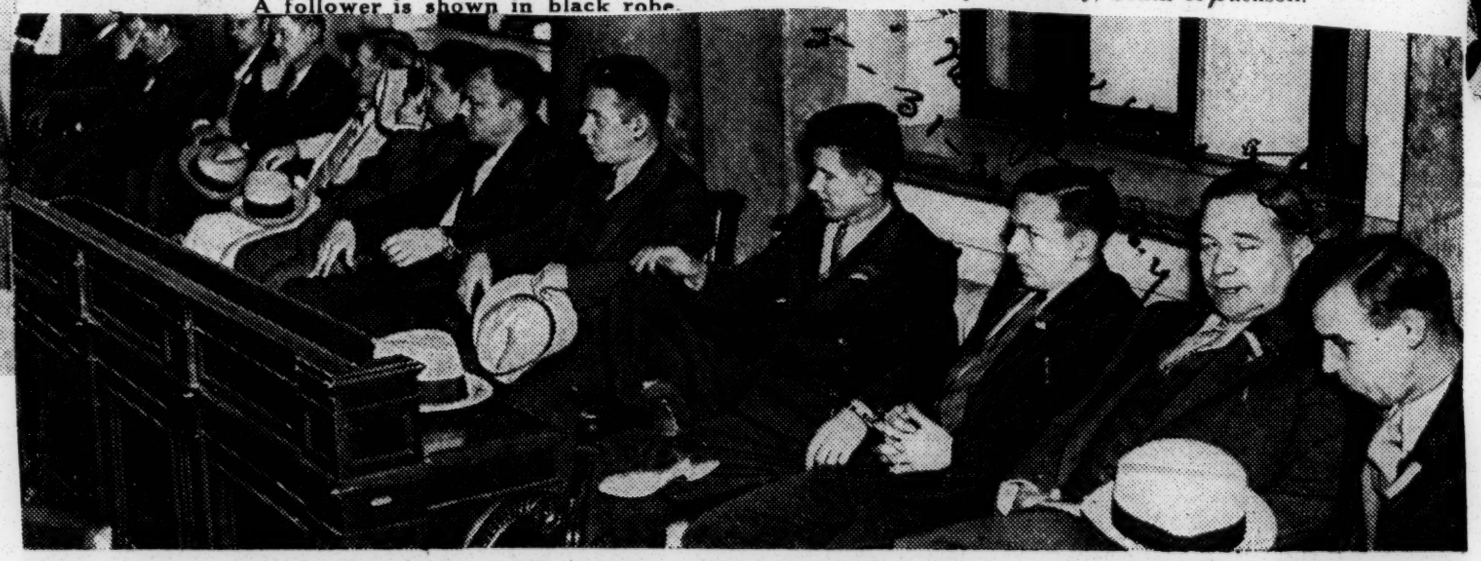
While the 13 men arrested following Poole's death were brought, manacled, into a crowded court room here, a grand jury inquiry into the band's activities in Jackson was resumed. It was in Jackson that the masked order was accused of flogging recalcitrant members and others.

The order has been charged with seeking to enroll most of the guards at the State penitentiary, South of Jackson.

Conflicting testimony concerning the "punishment" proposed for Poole was given during today's hearing here. One witness asserted the plans called merely for a flogging because Poole had "beaten his wife," a charge the wife already has denied.

A chief witness today was Detective Sergt. John Harvill, who related conversations he had in the county jail with Dayton Dean, confessed "executioner," of Poole, and several of the other defendants His testimony was designed to link each of the group with the killing.

MASKS IN MICHIGAN



Times Wide World.

Scenes in the Black Legion case—Accused men in court and an officer in one of the order's uniforms.

Klu Klux Klan-1936

Michigan.
6

Officials Named as Members Of Michigan Black Legion

PONTIAC, Mich., Sept. 2.—Sixty-four persons in the public employ of Oakland County, the State and Oakland County municipalities today were named as members of the Black Legion by Judge George B. Hartrick of Circuit Court, in his grand jury report. They are as follows:

STATE EMPLOYES

JOSEPH A. [illegible]NG, State Representative, Second District.

GORDON C. MacDOUGALL, manager of the Pontiac branch of the Michigan Liquor Control Commission.

ARTHUR L. SMITH, clerk, Pontiac branch, Liquor Control Commission.

LEE O. BROOKS, liquor inspector.

CHARLES W. COLE, manager State sales tax division.

LAWRENCE FRANK SEBASTIAN, chief engineer, Pontiac State Hospital.

ERNEST LE SEUER, assistant engineer, Pontiac State Hospital.

The following are employes of the hospital:

ROBERT McCRINDLE.
GEORGE V. HILLIKER.
GEORGE ZIEGLER.
HOWARD BOATRIGHT.
NORVAL ARNOLD.
LEO F. STIMSON.
LORA M. DEMAREE.
WILLIAM CHURCH.
WILLIAM H. KILGORE.
EMERY MEREDITH.
FRANK T. BADGER.
LEE MILLER.
ORBEN D. WILKINSON.
KENNETH W. YOUNG.
WILTON K. ROBLIN.
EMIL F. MAILHAM.
LEVI BUCK.
HENRY KAUFMAN.
HERMAN VINCENT.
LOUIS POPPY.
DAVID S. DUVALL.
HAROLD MARK TERRY.
NORMAN R. STORKEL.
HAROLD McLAREN.
HERBERT HANSER.
HENRY C. WHITTAKER.
OSWALD LEE, supervisor.
ARCHIE GILLIS, assistant supervisor.

COUNTY OFFICERS

DAVID C. PENCE, prosecuting attorney.
MILO D. McLINTOCK, assistant prosecutor, and member Pontiac school board.
DONALD C. PORRITT, assistant prosecutor.
ALBERT E. EKSTROM, deputy sheriff.
WALTER P. ARNOLD, deputy sheriff.
LAIRD M. SPENCER, deputy sheriff.
WILEY COE, deputy sheriff.
FRED J. McFARLAND, deputy sheriff.
OLIN LEITNER, deputy sheriff.
GEORGE HOYT, former deputy.
GLAINE JONES, former deputy.
EARL L. CLARK, drain commissioner.

PONTIAC CITY OFFICERS AND EMPLOYES

GEORGE C. JOHNSTON, city treasurer.
BURTON B. DAUGHERTY, police and fire trial board.
FRED H. SCHEID and **W. RAY RANSOM**, assessors.
WILLIAM A. EWART, director of law.
CHARLES McMILLAN, police chief.
FLOYD CALVERT, police sergeant.
WALTER F. PIERCE, former sergeant and head of vice squad.
WILLIAM LITTLE, detective.
SHERRY MAPLEY, detective.
FERDINAND SNYDER, detective.
STUART GREER, patrolman.
HARRY ENGLEBY, patrolman.
DAVE GILPIN, patrolman.
CLARENCE CURTIS, patrolman.
HENRY HOYT, patrolman.
WILLIAM B. SWALES, patrolman.
BURKE TEEL, patrolman.
GARTH TEEL, patrolman.
HARRY J. BROWN, janitor.
FLOYD SISCHO, painter.
WILLIAM H. BRADBURN, captain fire department.
MAX WELLS, fireman.
VERNAL D. LLOYD, fireman.
CLARENCE CRUMB, fireman.
ELMER FANGBONER, fireman.
NEIL G. BLACKSTONE, manager Pontiac City Airport.
FRED TOLES, city foreman.
ALTON GOLL, city electrician.
CLAUDE CLARK, electrical department.
LAWRENCE COLBETH, laborer, sewage department.

ROYAL OAK POLICE DEPARTMENT

ALFRED L. REYNOLDS, chief of police.
JOSEPH M. PARKER, sergeant.
CYRIL JAMES STROH, former patrolman.
THOMAS V. DAWKINS, patrolman.
THOMAS KELLEY, patrolman.
FLOYD J. SMITH, patrolman.
JOSEPH LINVILLE, patrolman.
DAVID WYATT, patrolman.

MURDER PLOT TOLD BLACK LEGION JURY

New York Daily Worker

Dean's Account of Slaying of Poole Is Related as Trial Is Opened in Detroit.

12, SHACKLED, IN COURT

Prosecutor Has Summoned 150 Witnesses to Appear in Chief Case Against Band.

9-13-36

DETROIT, Sept. 12 (AP).—Dayton Dean's version of the Black Legion killing of Charles A. Poole was recounted in Circuit Court today as the trial of twelve men charged with the crime got under way just four months from the time the young WPA worker died under a fusillade of pistol shots.

Prosecutor Duncan C. McCrea told the jury that the State would show the defendants plotted at a meeting in Findlater Hall to kill Poole, then abducted him and took him to a lonely country road where Dean, a pistol in each hand, shot him to death.

Mr. McCrea's statement of the State's charge followed closely the confession of Dean, who has pleaded guilty. The prosecutor pictured "Colonel" Harvey Davis, one of the defendants, as the leader of the plot.

He said the plot originated when Herschell Gill and Lowell Rushing, among the defendants, appealed to the legion to "discipline" Poole, a non-member, for beating his wife. On that accusation, since proven false, Mr. McCrea charged that Davis ordered Poole's death.

Davis's decision, he asserted, was ratified by the defendants at a subsequent meeting. Poole was lured there, and then taken to the suburban road where his body was found in a ditch the next day.

The Prosecutor said the first plan for "straightening out" Poole was to hang him, but that the car which contained the rope did not arrive and Poole was shot to death as he gasped out his last words:

"Gentlemen, there must be some mistake."

The twelve defendants, shackled in pairs, were taken to Findlater Hall before the formal opening of the trial. The jury, Judge Joseph A. Moynihan, Mr. McCrea and others accompanied them.

The dingy basement room in which the State charges the group congregated to plan the conspiracy that led to exposure of the terroristic night-riding society is small, and Mr. McCrea and Chester P. O'Hara, Assistant Attorney General, indicated they planned to stress that fact.

They said it would have been impossible for any one there the night of the meeting not to know what was happening. Several of the defendants contend the meeting was that of a political club, and they did not hear any accusation made against Poole or the shouts of "Hang him," "Kill him," which Dean said greeted the charge.

The jury of foruteen, selected from more than 700 veniremen, was ordered locked up and a strict censorship of the jurors' communications with their families enforced during recesses in the trial.

The prosecution and defense, regarding the Poole killing as the principal case among the sixteen crimes attributed to the Black Legion, have summoned nearly 150 witnesses, and expect the trial to require at last two weeks.

Michigan Opens Payroll Purge

Black Legion's Members Ousted; Demand Raised For Cities To Clean Up

DETROIT, Sept. 2.—(AP)—The State began today to purge its payrolls of men suspected of membership in the Black Legion, and the head of a citizens' committee in Pontiac, declaring the terrorists' activities there had created "a rotten, disgraceful mess," demanded that the city do likewise.

"No man has the right to obtain his bread and butter from the public and then pledge himself to war against a minority of those he has sworn to serve," declared Lyle D. Tabor, head of the citizens' group. "If the properly constituted authorities won't finish the job started by the grand jury, we'll have to shoulder the responsibility ourselves."

Tabor referred to the grand jury report submitted Tuesday by Circuit Judge George B. Hartrick, naming 86 men, many of them public officials, as having belonged to the night riding secret society.

Tabor, a former State adjutant of the American Legion, was active in the movement that brought about the grand jury inquiry.

The State demanded the resignation of Charles W. Cole, Pontiac manager for the State board of tax administration, and the State liquor control commission announced that Gordon C. MacDougall, manager of its Pontiac store, was "off the payroll." Both men were named in Judge Hartrick's report.

Gov. Frank D. Fitzgerald said that Black Legion members employed at the State hospital in Pontiac might be discharged a few at a time. The grand jury charged that more than a score were members, including Oswald See, supervisor, and Archie Gillis, his assistant.

"It might cripple the organization to let them all go at once," the Governor said.

Tabor's committee threatened a recall action against the city commissioners unless the 31 city employes named in the report are discharged.

"We demand the removal of Charles McMillan, Pontiac chief of police; William H. Bradburn, fire captain; William A Ewart, city attorney; George C. Johnstone, city treasurer x x x and all others shown to be members of the Black Legion," Tabor said.

The effort to choose a jury to try 10 men charged with the Black Legion killing of Charles A. Poole on a lonely road last May 12 ran into difficulties today with exhaustion of the first jury panel of 92, and court was adjourned until Friday morning.

BLACK LEGION CHOICE WINS IN DETROIT

Daily Worker

Townsend and Coughlin Candidates Lose In New York Primary

9-17-36

By George Morris
(Special to the Daily Worker)

DETROIT, Mich., Sept. 16.—Frank Murphy, Democratic candidate for Governor and the main target of the Landon-Lemke leaders here, was nominated by more than two to one majority over his rival, George Walsh. Senator Couzens, liberal Republican Roosevelt supporter, was defeated by former Gov. Wilber M. Brucker by a majority of over a

hundred thousand. Couzens did not campaign and the Republican machine used all means to defeat him for deserting the party.

Attempts of many Roosevelt supporters to save Couzens by voting a Republican ballot left the Democratic senatorship almost within reach of Louis Ward, Coughlin's bio-graper-lobbyist in Washington, who, as final results dribbled in, was catching up with Prentiss Brown, Roosevelt-endorsed top candidate.

Ward had the advantage in that over a quarter of the votes were split among two other candidates. If Ward is nominated both parties will have extreme reactionaries for the Senate.

Brucker was sponsored by Black Legion group here. Both will campaign against Roosevelt. A notable feature of the election as a whole was the great increase in Democratic ballots. Working class districts of Detroit especially switched. Negro districts which went over 76 per cent Republican in the 1932 primaries showed a similar percentage for the Democrats.

A similar trend was reported in other cities. But the rural vote is still predominantly Republican and for that reason gave the G. O. P. a majority over the state.

A large part of the G. O. P. pro-Couzens vote was undoubtedly a Roosevelt vote. Coughlin votes appear to have been defeated on endorsements [illegible] everywhere.

Primary highlights in four other states were:

WISCONSIN: Gov. Philip F. La Follette, unopposed in the progressive gubernatorial primary, was given a large vote of confidence, more than the combined total Republicans cast for their two candidates for the nomination. With the vote virtually complete La Follette had 135,316 votes compared to 125,665 cast for both Alexander Wiley and John B. Chapple. Wiley was leading by 5,000 for the Republican nomination. The total of the two democratic contenders was 117,792.

MASSACHUSETTS: Gov. James M. Curley, who told the voters he was "the original Roosevelt man in Massachusetts," won the Democratic senatorial nomination by more than a 2 to 1 majority, and will contest in November with Henry Cabot Lodge, Jr., grandson of the late United States Senator of that name. Lodge won the Republican senatorial nomination by a larger majority than Curley polled.

NEW HAMPSHIRE: Former Senator George Moses, one of the stalwarts of the Hoover administration, was defeated for the Republican senatorial nomination by Gov. Henry Styles Bridges.

NEW YORK: Townsend-Coughlin congressional candidates were defeated overwhelmingly, two Democratic congressmen were denied renomination, Tammany Hall showed a renewed strength and Gov. Herbert H. Lehman was rebuked in the New York primary.

MILWAUKEE, Wis., Sept. 16.—Wisconsin's new federation of liberals, set up as a possible basis for a new national party in 1940, trailed behind a surprising show of Republican strength today in virtually complete returns from the state's primary election.

Only one of the three candidates sponsored by the Farmer-Labor Progressive Federation appeared victorious. Orland S. Loomis, Federation candidate for Attorney General, led his one opponent by 20,000 votes. Governor Louis Brann of Maine, defeated senator candidate in Monday's election, conferred yesterday at Democratic National Headquarters on the possibility of demanding a recount of ballots and contesting the result before the senatorial committee on elections and privileges.

Jurors Score Black Legion As Guerillas

Report Flaying Hooded Order Released As 12 Go On Trial For Murder

Linked With Klan

Public Officials Bared As Members; Judge Says Politics Spelled Doom

DETROIT, Sept. 1.—(AP)—While 12 shackled members of the Black Legion were being led into circuit court today for trial on murder charges, a grand jury denounced the hooded order as a politically ambitious guerilla band mentally incapable of wresting control from established authority.

"The Black Legion was klan with a vengeance," the report of the Oakland County (Pontiac) grand jury said, "organized to accomplish its objects by force and violence, if necessary. It was a black klan."

The report, signed by Circuit Judge George B. Hartrick, named 86 men as having belonged to the night riding organization, many of them important state, county and city officials.

Referring to the Detroit indictment charging 22 men with criminal syndicalism in an alleged Black Legion plot to seize control of the Federal Government, the report said:

"It is possible that a fuller development of testimony by missing witnesses may involve additional members, or attribute to them a crime such as that contemplated by the criminal syndicalism statute, although the future alone must determine this."

Enmeshed in Politics

Judge Hartrick said the organization in Oakland County quickly became "enmeshed in the labyrinth of politics."

Politics spelled "its death just as certainly as the murder of Charles A. Poole, May 12, 1936, sounded the death knell of the Black Legion in Wayne County (Detroit)," the report said.

Selection of jurors to try 10 of the 12 men charged with Poole's death went forward today in the court of Circuit Judge Joseph A. Moynihan here, after all the prospective jurors had sworn that they were not members or former members of the Black Legion.

Two of the 12 men who are charged with abducting Poole and shooting him to death on a deserted by-road "to keep him from talking" about the black-cloaked band's terroristic activities, waived a jury trial. They were John S. Vincent and Albert Stevens, who contend they were not present at the death scene.

There were indications that selection of the jury would require several days, and that the trial might require three weeks or more.

To Purge State Forces

Immediately after the grand jury report was issued, Gov. Frank D. Fitzgerald announced in Lansing that he would recommend that all state employes shown to be members of the Black Legion be discharged. His statement was followed by an announcement from Chairman John S. McDonald, of the State Liquor Control Commission that Gordon C. MacDougall, branch manager in Pontiac who was named in the report, would be dismissed.

The report said "no evidence of criminality exists at the present time which . . . will substantiate a criminal charge against these men," but said it had been decided to publish the names of former members in the belief "that the light of publicity. . . . will effectively dispel enthusiasm for similar organizations, just as secrecy, darkness and ignorance further these sinister purposes."

Among the members or former members listed were Joseph A. Long, a state representative; David C. Pence, prosecuting attorney; George C. Johnston, city treasurer of Pontiac; Charles McMillan, chief of police; Burton P. Daugherty, member of the Pontiac police and fire trial board, and numerous county and state employes.

Offshoot of Klan

Judge Hartrick's account of the Black Legion's birth—and motives—follows:

"Born of political, race and religious prejudice, masking its terroristic activities with grim secrecy, the Black Legion was formed in Ohio, probably in 1931, by rebellious members of the Order of the Knights of the Ku Klux Klan. . . .

"As conceived, the Black Legion was a klan with a vengeance, organized to accomplish its objects by force and violence, if necessary. It was a black klan.

"The first 200 members were klansmen who dyed their white robes black. As a penalty, the Ku Klux Klan revoked the charter of the rebel group, and a general edict was issued forbidding other klansmen to dye their robes. . . .

"The Black Legion and the Knights of the Ku Klux Klan became mortal enemies, each striving in the communities for political domination and control, whether directly or indirectly, both giving vent to prejudices against Roman Catholics, negroes, Jews, communists and aliens."

Black Legion Defense Denies Confessions

(Daily Worker Michigan Bureau)

DETROIT, Mich., Sept. 16.—Dayton Dean, confessed trigger man of the Black Legion, and Mrs. Rebecca Poole, widowed by the killing of Charles Poole on May 12, will testify today for the state in the trial of twelve Legionnaires who took part in the lynching party.

Several detectives who took statements from each of the defendants immediately after the arrests four months ago, brought them before the court yesterday and again traced the Poole killing step by step. Part of the evidence consisted of black robes adorned with skull and cross bones, rope, black jacks, revolvers and other Legion paraphernalia found in the home of "Colonel" Harvey Davis who commanded the lynching party.

The strategy of the defense now is to deny that the preliminary statements were volunteered, charge that the prisoners were "third-degreed" and to claim that Dayton Dean shot Poole without being authorized. Ervin Lee, the second man who admitted discharging his revolver, stated that he "was afraid not to shoot. They knew I had a gun with me and I was afraid if I didn't shoot . . ." Lee claimed, however, that he only discharged the revolver and didn't hit Poole.

Questioning Sergeant Harvill, Bernard Cruse, the Black Legion lawyer, asked, "Davis didn't tell you he planned Poole's murder, did he?"

"No, but he did say that Dean opened fire too soon, that he wasn't through talking to him," Harvill answered.

This was when Poole, surrounded by seven Legionnaires on a dark, lonely road near Dearborn, was told by Davis that "he beat his wife for the last time."

"There must be some mistake, I never beat her. She is in the hospital having a baby . . ." is all that came out of Poole when two revolvers riddled him with bullets.

White Guard Admits Inciting Black Legion

DETROIT, Mich., Sept. 16.—Victor Nicholas Schultze, [illegible] the white-guard Russian who on the night of May 12, at the Findlater Temple, [illegible] with a speech against Communism as they prepared the lynching party that killed young Charles Poole an hour later, confessed yesterday that Schultze's testimony [illegible] witness stand that he had been a guardists, as enemies of Communism, member of the Black Legion for the Black two years.

Schultze testified that "Col." [illegible] classed as "hated foreigners." Harvey Davis of the Black Legion. It was at that meeting, following post invited him to tell the terror-Schultze's speech, that Davis told lists of the "evils of Communism.' 50 terrorists that "a Catholic fellow" An interesting sidelight was beating his wife who is about

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campaign and the Republican ma- bert H. Lehman was rebuked in the
chine used all means to defeat him New York primary.
for deserting the party.

Attempts of many Roosevelt sup- MILWAUKEE, Wis., Sept. 16.—
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ocratic senatorship almost within a new national party in 1940, trailed
reach of Louis Ward, Coughlin's blo- behind a surprising show of Re-
grafter-lobbyist in Washington, publican strength today in virtually
who, as final results dribbled in, complete returns from the state's
was catching up with Prentiss primary election.
Brown, Roosevelt-endorsed top can- Only one of the three candidates
didate. sponsored by the Farmer-Labor

Ward had the advantage in that Progressive Federation appeared vic-
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split among two other candidates tion candidate for Attorney General,
If Ward is nominated both parties will his one opponent by 20,000 votes.
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Schultze testified that "Col." Harvey Davis of that Black Legion post invited him to tell the terrorists of the "evils of Communism." An interesting sidelight in Schultze's testimony is that white guardists, as enemies of Communism, were eligible for the Black Legion and apparently were not classed as "hated foreigners."

It was at that meeting, following Schultze's speech, that Davis told 50 terrorists that "a Catholic fellow" was beating his wife who is about to have a baby and that her father was "one of our boys." Schultze repeated the testimony already given by others that Davis asked for four volunteers who would go and get Poole. Asked to point out the four he identified Dayton Dean, Urban Lipps, Edgar Baldwin and Paul Edwards of the defendants. He also identified others whom he saw present at the meeting where the lynching was planned.

Schultze's turning against his fellow legionnaires was apparently prompted by his rift with them when the Findlater Temple meeting broke up, as according to the testimony he was charged with getting "cold feet" for refusing to go along with the lynchers.

More than a score of witnesses were already put on the stand by the state as a noose of evidence tightened around the necks of the 12 killers on trial. The story was retold how the four lured Poole out of a beer garden on the promise that he would be taken to join a baseball club and how instead he was taken to a lonely road outside Detroit and riddled with bullets.

Part of the testimony was of gossip around the family of Lowell Rushing, one of the killers whose sister-in-law is a sister of Rebecca, widow of Poole. Rushing was apparently angered at having a Catholic linked to his family.

Two men who were with Poole in the beer garden when he was called out to "be measured for a baseball uniform" told how the murdered WPA worker went to three beer gardens to make sure that his framed appointment made earlier should be kept. Poole had an idea that he was to be taken into a baseball club of an automobile company where for a long time he had sought to get a job.

Black Legion Defense Denies Confessions

(Daily Worker Michigan Bureau)

DETROIT, Mich., Sept. 16.—Day

Klu Klux Klan – 1936

Michigan.
6

GIVEN BEST JOBS ON ALL WPA WORK, LEADER DECLARES

Michigan Prosecutors Dig Into All Unsolved Crimes in Past Two Years for Traces of Activities of Hooded Night Riders

PROBERS DECLINE KLAN'S AID OFFER

Will Call Grand Juries in Every County To Probe Order and Fire All Employe Members.

DETROIT, May 26.—(AP)—Michigan state and county officers will meet tomorrow to perfect plans to crush the Black Legion, hooded vigilante society whose members are accused of murder, kidnaping and flogging, as authorities in other states seek to trace ramifications of the secret night-riding band.

Attorney General David H. Crowley said tonight he would confer with Wayne County Prosecutor Duncan C. McCrea Wednesday on plans to unearth details of the society's activities and would discuss reports McCrea had signed an application for membership in the hooded society in 1934.

Even as these plans were announced, William Smith, 55-year-old farmer of near Waynesfield, Ohio, told authorities he had been beaten, imprisoned and had his life threatened by the Black Legion when he rebelled during the initiation ceremony.

Waynesfield is 15 miles south of Lima, Ohio, where V. F. Effinger, whom McCrea has sought for questioning, asserted the Black Legion has more than 6,000,000 members and that "it will go right ahead promoting the best interests of America and American citizens, despite the unfortunate affair in Detroit."

See Possible Conspiracy.

Effinger referred to the alleged "ritual execution" of Charles A. Poole a WPA worker whose body was found in a ditch along a county road nearly a fortnight ago and for whose death 12 men are held here without bail on murder and kidnap warrants.

These developments followed fast upon revelation the Black Legion has a woman's auxiliary and charges by investigators that the black-robed band sought political power through terrorism.

Attorney General Crowley said at Lansing he was withholding judgment on reports linking the Wayne county (Detroit) prosecutor with the organization until their conference tomorrow, and commended McCrea's "fine effort to investi ate legion activities thoroughly."

Crowley disclosed that he was studying the oath of the Black Legion, to ascertain if signers might be liable to prosecution for conspiracy to commit a crime. He said he had reached no decision, but expressed doubt that conspiracy charges could be preferred unless signing of the oath were followed by some overt act

Planned Revolution.

He said he doubted that the Black Legion had 135,000 members in Michigan, as some members claimed, and asserted that he had seen no documentary confirmation of statements attributed by Harry Colburn, chief investigator for McCrea, to unidentified members that leaders of the order proposed to establish a dictatorship.

At Jackson, however, State Police Captain William Hansen quoted Ray Ernest, state prison guard and accused brigadier general in the legion, as saying "we are going to overthrow the government; you boys are going to have your hands full." Ernest is one of five men arrested today on kidnaping and assault charges in connection with an alleged Black Legion flogging.

At Lansing, Governor Frank D. Fitzgerald said he would ask heads of state departments to dismiss any employes found to have participated in Black Legion activities.

The confessed "executioner" of the Legion, Dayton Dean, admitted from his county jail cell today that the shooting of Poole was "a mistake."

"Wasn't a Bad Fellow."

There was none to contradict him among his 11 fellow members of the secret order, held on murder and kidnaping charges, or among police whose investigation of the killing unmasked activities of the terrorists.

It was a mistake, the heavy set night-rider said, because "they tell me that Poole wasn't a bad fellow like we thought. I guess we made a mistake. It's too bad for everybody—for me, for the other boys—for Mrs. Poole, too. I feel sorry for her."

A moment later he expressed concern over when the next jail meal would arrive.

There was little to say about the shooting. "Ask the prosecutor. I told him the truth," he said.

Prosecutor McCrea said Dean told of taking Poole to a lonely road for a "necktie party," only to become impatient when a rope failed to arrive. Dean emptied two revolvers into Poole's body while six fellow members watched, McCrea said.

The "execution" was arranged, McCrea was told, because of information Poole had beaten his wife. Mrs. Poole, in the hospital with a three-day-old baby at the time her husband was shot, said the accusation against Poole was a "wicked lie."

Dean is about 35 years old.

Every unsolved crime of violence in southern Michigan during the last few years was under renewed investigation tonight as state and county authorities pressed their war to uproot the Legion.

A promise by Attorney General Crowley to call grand juries in each county in which such crimes could be traced to the black-cloaked night riders spurred the investigations of violence and terrorism in at least five southern Michigan counties. Fires of incendiary and undetermined origin also were under investigation.

While these activities were being pushed, another batch of warrants were sworn out at Jackson, Mich., against reputed members of the secret terrorist organization. They numbered 25 and charged kidnaping and assault. They were followed immediately by the arrest of five men accused of being ringleaders of a mob of night riders who stripped and flogged Harley Smith, of Norvell, Mich., who, county officers said, was a member of the order seeking to withdraw.

Guard Arrested.

The men arrested, at Jackson were Ray Ernest, a guard at the state penitentiary, and described by county officers as a "brigadier general" in the Black Legion; Allen Basom, of Norvell; Clarence and Glenn Ernest brothers of Ray, and Dite Hawley another prison guard. Ray Ernest has been accused by state police as the leader of a mob that flogged Paul Every, another prison guard, so severely that he died two weeks later.

Investigators here received without immediate comment a report from Columbus, Ohio, that a witness before a legislative comittee had testified that he was a member of the Black Legion and that "a great many of its members had been placed as foremen on works (FERA) projects" in Lima, Ohio.

Jobs on Relief.

The witness, George Armstrong, of Lima, was quoted as saying "members of the Black Legion got most of the jobs on relief work."

Prosecuting Attorney Duncan C. McCrea said he did not want the help offered by James A. Colescott, a guard of the Black Legion, in investigating any acts of violence by the Black Legion. Colescott, in Columbus, Ohio, said there was no connection between the Klan and the Black Legion.

The prosecutor announced today that the blaze which destroyed Father Charles E. Coughlin's original Shrine of the Little Flower on March 17, was on the list of unexplained fires his investigators are checking for a possible connection with Black Legion terrorism.

There were rumors in Royal Oak that investigation of the explosion of a block powder bomb in the basement of Father Coughlin's home several years ago also would be reopened.

Maintains Innocence.

Effinger, who appealed to the Prosecutor in Adrian, Mich., last summer for the release of three men arrested with weapons and black robes bearing the Black Legion's skull and cross bone insignia, said he "knew nothing about the killing in Detroit or elsewhere by the Black Legion," and declared the "organization deplores anything of that nature."

The questioning of Lupp followed discovery in Ernest's home of a letter signed "Art Lupp, B. G.," in which Ernest was asked "How are you getting along with your new boss? If you're not, maybe we can do something about it."

Prosecuting Attorney Duncan C. McCrea quoted A. F. Lupp Sr., admitted "recruiting officer" for the Legion, as saying today that the hooded order had a women's auxiliary.

Lupp, the prosecutor said, admitted he had addressed the auxiliary, but did not know any of its officers.

The statement attributed to Lupp, McCrea said, confirmed the belief expressed in Jackson by Lieutenant Van Loomis, of the Michigan state police, that such an auxiliary existed after he had confiscated a number of cards when he arrested Ray Ernest, suspended state penitentiary guard.

Meeting Called.

McCrea today called a meeting of the county gun board to revoke all permits for carrying firearms. By "starting all over again" in the issuance of permits, he said, those held by members of the Black Legion will be definitely outlawed.

In an incendiary fire near Jackson early this morning, state and county authorities professed to see defiance of the "war of extermination" they have announced against the band. State police said they frustrated an attempted meeting of a hooded group near the unoccupied farm of George Noon shortly before a barn and several outbuildings were destroyed by flames.

In a raid by Wayne county authorities in the Down River district this morning, five places were entered and the raiders, led by Harry Colburn, McCrea's chief investigator, seized a number of weapons and considerable literature. In a garage operated by Charles D. King, a former Ecorse councilman, Colburn said he found an instruction blank of the Black Legion telling members how to send chain letters advocating the drawing of racial lines in grammar schools.

Examination Date Set.

Examination for the men arraigned today in Jackson has been set for June 2. In Detroit 12 men who have been held without bail on murder and kidnap warrants are to appear for examinations tomorrow. They are charged specifically with the "execution" of Charles A. Poole, a WPA worker, whose body, bearing five bullet wounds, was found in a ditch along a county road nearly a fortnight ago.

Among the unsolved crimes under investigation are:

The death of George Marchuk, shot to death in Lincoln Park, near Detroit, in 1933.

The killing of Howard Curtis, of Detroit, in Oakland county, July 16, 1934.

The death of John Bielak, of Detroit, near Monroe, Mich., two years ago.

The death of Paul Every, prison guard, in Jackson, after a beating, several months ago.

The death of R. T. Phillips, a Detroit street railway inspector, who was drowned in the Rouge park swimming pool in 1933.

Arthur F. Lupp Sr., who admitted in Prosecutor McCrea's office that he was a "recruiting officer" for the Black Legion, was suspended today from his post as milk inspector for the board of health.

Arthur T. Mitford, chief of intelligence of the department of street railways here, said today he was investigating the suicide of a department electrician about a year ago.

DETROIT, MICH.
NEWS

MAY 30 1936

The Black Legion and the Law

The reluctance of Atty. Gen. Cummings to rush into the Black Legion investigation, in the absence of substantial evidence that a Federal law has been violated, is readily understandable.

The Federal Government has no jurisdiction over murder, floggings or even, except in definite circumstances, over political terrorism. Barring disclosure of a Black Legion kidnaping with interstate aspects, we find no law under which the Attorney General could proceed, unless it be the Seditous Conspiracy Act of 1909.

This law, directed mainly against plotting for actual overthrow of the Government, also punishes conspiracies to "oppose the authority" of the United States or to "prevent, hinder or delay" the execution of its laws. Conceivably it could be strained to cover those of the Black Legion's purported aims which might contravene Federal constitutional guaranties. But that would require a terrific straining of the statute, which the courts, happily, we think, so far have been very cautious in interpreting.

It does not take much thought to realize

that conspiracy laws of this sort, which necessarily are vague and inclusive in their wording, easily could became a menace to the people's liberties, rather than a preserver of them, if not interpreted with caution. Under the circumstances, it seems wise that Federal intervention should be withheld, unless there is evidence some other Federal statute has been violated.

The same counsel of caution applies equally, we think, to the various proposals of congressmen, who have said that if Cummings lacks a law to proceed under, they will provide one. The drafting of such a law is not a matter to be embarked on in a hurry. A good many years' study has been devoted, for example, to drafting the Wagner Anti-Lynching Bill, which still is pending in Congress, and doubts as to its constitutionality continue to be raised.

The temptation to call on all possible law enforcement agencies, state and Federal, is a strong and a natural one, considering the heinousness of the offenses here concerned. But it should not be forgotten that any "blunderbuss" law hastily drafted to deal with the Black Legion may remain on the statute books a long time; whereas, unless we are mistaken, the unaided power of the states will suffice speedily to stamp out this ill-begotten organization and to punish its crimes.

PERTH AMBOY, N. J.

NEWS

MAY 28 1936

THE BLACK LEGION

AMERICANS as a rule are unwilling to believe that this country is in any danger of fascism. They point to our democratic traditions and insist that dictatorship is too alien to take root in the United States. It is devoutly to be hoped that they are right. But the revelations coming out of Michigan these days concerning the "Black Legion" would seem to indicate that such sentiments contain a large percentage of wishful thinking.

It seems incredible that in the heart of America is an organization with a membership estimated at 100,000 which is armed, which exists by an extreme form of terrorism, and which is sworn to a program of race hatred against Catholics, Jews, Negroes, and all whom they consider to be "communistic"—a term used in such societies to include every shade of liberalism or radical political doctrine. Seven Black Legionnaires have been indicted for murder and many others are expected to face indictments for conspiracy in connection with the recent killing of a Catholic WPA worker. In the course of the investigation many gruesome facts have emerged and some authorities believe that no less than fifty murders may be traced to the Michigan branch of this infamous band.

One of the chief characteristics of the Black Legion, as is the case with the Nazis in Germany, is an extreme nationalism. Members are sworn to uphold the Constitution—which they proceed to do by arming, in violation of the law, murdering and oppressing every minority group, in a grotesque distortion of the very principles they are sworn to support. Like Hitler's Brown Shirts, too, they are organized along military lines, and have already made headway in Michigan politics.

It is certainly to be hoped that the murder trial in Michigan will result in a thorough smashing of the Black Legion, which according to report has thousands more enrolled in other states. Whether it is smashed or not, however, the revelations that have been made so far should be an alarming challenge to those who comfortably believe that "it can't happen here." Vigilance, not wishful thinking, is what is needed to protect democratic liberties from the menace of fascism.

LETTERS AGAINST NEGROES BARED

By S. T. HOLLAND
(Staff Correspondent)

DETROIT, Mich., June 4—With ever-increasing rapidity, police here and throughout the State of Michigan continued their vicious campaign against the infamous Black Legion, the most menacing, un-American cult of terror since the Ku Klux Klan, and arrested two more white men who, with 12 other hooded vigilantes, were arraigned Monday on kidnaping and murder charges in the death of Charles A. Poole, white WPA worker.

"Negro Letters" Bared

The contents of a huge proportion of literature used by the Black Legionaires in their fight against Negroes were also made known here Thursday evening. Many letters directed against the Catholic, the Jew, the Negro, the Communist and the "foreigner" were on the order of the once popular "chain letter." The letters concerning Negroes read thus:

"Everything to gain for home, school, good citizenship and the future of your children. This letter is sent you with the understanding that you are a White American Citizen and are interested in the future of Our American Children. Read this letter carefully and follow the instructions contained herein.

DO YOU KNOW THAT YOUR BOY OR GIRL WHO ATTEND THE PUBLIC SCHOOLS ARE COMPELLED:

1. To sit with Negroes in school.
2. To eat with Negroes in the school restaurants.
3. To take swimming lessons in the same pool at the same time.
4. To play with the Negro on the school play ground.
5. To associate with the Negro in all phases of school life.
6. That They Are Permitted to Attend School Parties And Encouraged to Dance Together.
7. That there are many NEGRO TEACHERS TEACHING WHITE CHILDREN in the schools.
8. That Negro groups have demanded of the school boards to be given more representation in the schools by placing Negro teachers over white classes.
9. That Negro students have attacked white children and teachers in the schools and that these cases are kept quiet by the school principals because it would jeopardize their position.
10. That there are police records of criminal attacks by Negroes.

Your boy or girl who grows up in this atmosphere is being taught to disregard racial lines. Eventually they will intermarry with the Negro. DO YOU WANT THIS TO HAPPEN IN YOUR FAMILY? IF NOT, HELP THIS MOVE TO SEGREGATE THE NEGROES AND THE WHITES IN THE PUBLIC SCHOOLS.

INSTRUCTIONS

Make five copies of this letter and mail them to friends who you know will do something about the above conditions. Then get a committee of your neighbors and call on school principals and school board members and raise so much fuss that they will take some action on this matter.

Bring this subject up in your clubs, lodges, places of employment, etc.

DO NOT SIGN YOUR NAME ON ANY OF THESE LETTERS.

P. S.—In the city of Detroit, beginning with the week of May 27, there will be 1,100 Negro families moved out of the slum area to any and every place they can find to move them. Is there a vacant house in your block?"

Link Prosecutor With Cult

Despite the fact that Duncan McCrea, prosecutor of Wayne county is under heavy fire because of his alleged membership in the Black Legion, he is still in charge of the investigation of the Black Cult. In an interview with Assistant Prosecutors Charles W. Jones and John K. Graham, it was disclosed that Prosecutor McCrea had sent a long letter to William E. Anderman, vice president of the Detroit Times stating that unless certain articles linking him with the Black Cult were not retracted by June 6, he would file a $100,000 libel suit.

BLACK LEGION IS LAID TO REPUBLICAN PARTY

Governor of Pennsylvania Blames G.O.P. Industrialists for Society.

DETROIT, June 7.—(AP)—A charge by democratic Governor George H. Earle, of Pennsylvania, that the Black Legion is "an example of the new fascism" confronted political circles today as the state pressed its investigations on three fronts.

The young New Deal governor of Pennsylvania, where a new inquiry into Black Legion activities has begun, blamed "republican industrialists" for the terrorist society in a speech last night before a large crowd at a progressional rally in the naval armory here.

"The Black Legion," Earle asserted, "is an example of the new fascism, preying on ignorance and petty human vanity, spawning in the diseased minds of fanatics and bigots."

The grand juries were to sift evidence this week of floggings, killings and terrorism by the hooded, black-robed night riders, and Prosecutor Duncan C. McCrea, of Wayne (Detroit) county, continued his investigations.

Circuit Judge James E. Chenot, sitting as a one-man grand jury, will resume hearing testimony here tomorrow. At Pontiac, a grand jury inquiry into the secret order wil open at the request of Buell A. Doelle, an assistant attorney general.

Investigators have reported that the Black Legion, which required its members to swear to fight communism, masked as the "Wolverine Republican Club" for some meetings here.

Klu Klux Klan – 1936

Michigan
6

Vicious Black Legion Propaganda

HOW TO CIRCULATE:

Mail this anonymously, in plain envelope, to a true-blue American white citizen. It is by a foreigner, but it serves our purpose. It tells the truth about the racial situation here, and makes some good suggestions that you may not have thought of. **Onward! with White Supremacy.** Don't Sign Your Name to Any of This Literature.

"HOW TO WIPE OUT THE AMERICAN NEGRO"

By HEINRICH KRIEGER, (In Die Tat, Jena, Germany)

Throughout the civilized world today there are only three nations which have a genuine racial problem. These nations are the United States of America, Germany, and the Union of South Africa. In the United States the racial problem has developed into a major question, because of the high percentage of racial infiltration which has taken place there. About one ninth (11.3 per cent) of the population, that is, some 14 out of 123 millions, belong to the colored races.

Defense against this racial invasion can take two forms: social action in private life, and the defense that the ruling race can bring to bear through its legal system and open measures. With every fibre of its being German consciousness has resisted theories of the equality of races, especially within one state structure. The German race as long as it remains conscious of its right to rule will always recognize that equality with colored races is one of the gravest menaces which confronts it.

In the United States, where the blending of the Germanic races with coloured folk remains a burning problem, the defense must be legal—not social only—against this tendency towards equalization which is at present encouraged by modern law itself. General law states the basis for equality; racial law provides the theoretical support for exceptions from general law. The existence of a race-government in the United States is therefore important to us Germans if only for such theoretical reasons.

In the United States there are three racial minority groups in opposition to the overwhelming majority of the Germanic races. These groups are: the native Americans, or Indians; the Negroes, brought to the country as slaves; and the immigrant minorities, which began to arrive in large numbers during the last century.

The Indians have decreased from about 800,000 at the time of the discovery of America, to about 300,000 now. They are in a legally compromised position, since they were granted special rights and treatment, and yet have been made citizens of the United States, which is not consistent, and therefore can be easily changed.

But the greatest factor in American race-government is, of course, the Negro, of whom there were about 750,000 in 1789. The legal status of the Negro is not clearly stated in the Constitution, and this lack of clarity led to the secession of the Southern slave-owning states and the Civil War. At the end of the Civil War there were about five million Negroes in the country, and Lincoln often vigorously advocated their removal from the United States.

The year that the Civil War ended, the Northern states, motivated by the dogma of equality, passed the 14th and 15th Amendments to the Constitution. According to the 14th Amendment, the principle of equality under law was established, and as equal with equal, and citizen with citizen, German and Negro enjoyed the fruits of civilization. The 15th Amendment gave the Negroes the highest rights of a citizen, the right to vote.

The third minority racial group with which the Germanic people are surrounded is composed of immigrants. They fall into three subgroups: the Mongolian, especially Chinese and Japanese; the un-Germanic South and East European immigrants; and the Mexican immigrants. The Mongolian immigrant was reduced by the great Immigration Law of 1924, which totally excluded the Japanese. Non-Germanic European immigration was curbed by the establishment in 1924 of a complicated system of immigration quotas, the unexpressed basis of which was the distinction between "old" and "new" stock, or between the North and West Europeans and the South and East Europeans. The third minority group is the Mexicans, about 1.2 per cent of the population, whose increase has fallen off with the advance of the economic crisis.

The Indians, therefore, in spite of their citizenship, are subject to special treatment. The new immigrants without citizenship are already subject to numerous restrictions. But the Negroes remain protected by the fiction of a full equality of right with the ruling races.

The first and most important problem is: how can they be deprived of full equality under the form of the law, while the 14th and 15th Amendments guarantee their legal standing? The methods of getting around the difficulty and of establishing correct principles are: by the circulation of widely accepted and free views about the status of Negroes, the legality of which cannot be easily proved; with the help of a sophistical extension of the meaning of equality; but above all by the proper handling of disturbances which the law tolerates through the interpretation of racially useful statutes.

Prejudice is important in the propagation of a free opinion in the matter of the right to vote. By the 15th Amendment no citizen can be stopped from voting because of his racial incompetence. But obviously the qualifications for a voter can be stipulated. One method which may be used in setting forth qualifications for voting is to provide that the registry of one's name on the voter's list must be proved. That is where free opinion comes in. For example, in the constitutions of most of the southern states there is an intelligence clause as follows (from the constitution of Mississippi):

"From January 1, 1892, each voter must be in a position to read each clause of the constitution of this state, or if he cannot read it, to understand and be able to give a reasonable interpretation of it."

The administration of this clause is in the hands of the officials who prepare the voting lists; they have legally provided a test which most Negroes fail in, and most white men understand. The result of such methods of discrimination is that nearly 9,000,000 Negroes in the Southern states today have very little political importance as a racial group.

Second of the methods to be used is the false exaggeration of the meaning of equality. Where the idea of equality is clearly stated and defined, it must be shown to be unintelligible. That also applies to the original intentions of the creators of the 14th and 15th Amendments. Each individual coloured person must be shown to have equal rights with equally qualified whites. Every single Negro must be considered equal to the whites, to have the right to marry a white woman as white men may; every swimming tank must be opened to them; every seat in vehicles of transportation must be made fully available to them; and every school and high school must take down all barriers against the entry of their children.

But in all these cases there are existing legal restrictions. In 30 states out of the 48, marriage between whites and Negroes is forbidden. There is not a single state in the South where ships, buses, trams and trains were not divided off into sections marked "For White" and "For Coloured." The same applies to the school system. But it must be urged that equality means the abolition of all this.

It should also be claimed that real racial equality can come only if the white majority is separated from the Negroes and each given his own racial laws in place of one law which is equally applicable to both.

A similar argument will serve in the third solution of the provisions of Emancipation. Only in a small number of cases can the interpretation of laws follow general principles rigidly; usually racial laws are applied to racial problems. In such cases racial considerations are the strongest. In extreme cases these interpretations can be either friendly or hostile to minority races. The ruling race will, of course, be hostile to minority races, though not openly so. And immediately the machinery of government of the ruling races becomes, quite legally, opposed to the provisions of emancipation.

In the same way it should be pointed out that not only is the "colour line" a legal distinction, existing throughout all American law, but even in the statutes of Emancipation it was recognized and used.

The theory of racial equality reached its peak at the time of the Civil War, but since then it has become so weak that it is impotent. Laws have been passed discriminating against Indian and immigrant rights which, though they break the statutes of Emancipation, have been winked at. The time has come when such legislation should move into a new field, not simply in a swing of reaction, but with a new point of view and setting.

While the inheritance of racial thinking is not recognized in the United States, it is obvious that a whole body of legal procedure lies ready to hand, which one cannot define more exactly than as "racial law." When the Germanic majority of real Americans free themselves of their burden of theory, they will open the way to their racial salvation.

Therefore, in my opinion, there are three important steps to be taken: First, and most important, is that ideas of racial equality must be given up. Especially must no concession be made between Germanic and Negro not even in theory. Secondly, the 14th and 15th Amendments must be removed from the Constitution. All Negroes would then be without citizenship and all protecting legislation would be abolished. Each state then would be free to adopt whatever measures were necessary, according to conditions. This would be of inestimable value in the Negro-ridden southern states. And third, Lincoln's plan for emigration should be developed and brought into action by degrees.

Clearly the problem of the largest racial minorities would not be settled in this way. It would also be necessary to use the method practised in Germany, and put an end to racial inter-marriage.

(The above letter was to be distributed by the Black Legion two months before the November election. It was to be used with a series of pamphlets on the race question in America, and sealed in an envelope, containing fifty copies, marked "open in private." It was to be mailed mostly to non-members).

BLACK LEGION AND LYNCHING

LESS THAN 10 DAYS AFTER the first arrest of members of the so-called Black Legion, a resolution is offered in Congress for a federal investigation of the activities of that nefarious son of the Ku Klux Klan. At the same time demands are made from all parts of the country that G-men be placed in charge of the roundup of leaders of this gang.

Compare this with the interest shown and action secured in the fight to stamp out lynching. Ten years of agitation on the part of the Negro population and a few interested white friends hasn't been able to get a Congressional investigation into this crime of mass murder.

The difference was due largely to the fact that the Black Legion has directed its activities against more powerful groups—the Father Coughlins, the Jews and others who wield a powerful influence through their control of a large bock of votes. They must be protected and any menace against them is a menace against the nation.

Hence we see that federal police powers are being brought into play in one case and no question of state rights is being raised, whereas in a similar case the cry is made that any action by the federal government is wholly unconstitutional and an invasion of state rights.

Perhaps Senator Borah and other authorities on the Constitution will take a stand against any federal action in the case of the Black Legion. We shall see how consistent our statesment can be.

CRIME

Mumbo Jumbo

Last fortnight the arraignment in Detroit of twelve "Wolverine Republican Club" members for the murder of a young Catholic WPA worker (TIME, June 1) gave the U. S. its first word of a nebulous, black-cloaked, Klan-like organization called the Black Legion. Following a slim lead the Press and police last week splattered over U. S. newspapers an incredible blood-&-thunder story which had liberals sincerely worried, psychologists intensely interested, the average citizen bewildered.

First Black Legionary of note to be arrested after the twelve "Republicans" was balloon-eared, tight-lipped Ray Ernest, Jackson State Prison guard, reputedly a "brigadier general." With four others he was accused of lashing another WPA worker, of fatally flogging a fellow prison guard who had tried to withdraw from the Legion. While newspapers painted the complicated ritual in which a Legion neophyte was asked whether he believed in a Supreme Being, could ride, shoot, drink and lie, police announced that they had raided Ernest's Jackson home, found a metal-studded whip. Mrs. Ernest, claiming to have played Little Eva in a presentation of *Uncle Tom's Cabin*, said the whip was merely a stage prop. "What were you trying to do," asked a wry policeman, "kill Uncle Tom?"

Also found in Ernest's home was correspondence to Virgil Harry Effinger of Lima, Ohio. He, newshawks found, is a ponderous, big-nosed salesman with a foghorn voice who quotes extensively from the Bible, addresses everyone as "Brother." Seated in his basement office, which contains a plaster statuet of a hooded klansman and framed pictures of Paul Revere and George Washington, Effinger neither admitted nor denied that he was the Legion's commander-in-chief. The 6,000,000 members, he stoutly asserted, did not believe in violence, worked solely for the furtherance of "Americanism."

Another Detroit clue pointed to Bellaire, Ohio's $25-a-month Health Commissioner, squint-eyed Dr. William Jacob ("Dr. Billy") Shepard as commander-in-chief. To citizens there "Dr. Billy" was a "harmless old coot," incurably hipped on the preservation of Southern chivalry. Eleven years ago he appeared at a Ku Klux Klan meeting dressed in black, attended by "Black Guards," stirred up Klan resentment. He withdrew with his Black Guards, who apparently burgeoned, without his assistance, into the Legion. Refusing to define his position, "Dr. Billy" said: "You have to have mystery in a fraternal thing to keep it alive; the folks eat it up."

Michigan and other states investigating the Legion found its odor distinctly unpleasant. Outraged Pontiac, Mich. citizens, hearing that many of their city officials were connected with Legion activities, began an inquiry of their own. The appearance of Wayne County Prosecutor Duncan C. McCrea's name on a Legion membership blank caused a fine furor in Detroit. To Washington went frantic wires from the Midwest begging the G-Men to step in. Introduced in the U. S. House and Senate was a joint resolution demanding a Congressional investigation.

On the trail for "big names" behind this Catholic-hating, Negro-hating, Communist-hating group and other floggings and murders which could be pinned on it, newshawks discovered that there was a defunct women's division. "I'm the colonel and proud of it," disclosed a Mrs. Grace Lupp of Highland Park. "The auxiliary was organized two years ago, solely for political purposes. . . . We tried to keep it a clean organization, but we found it was very difficult. . . ." Willingly "Captain" Geraldine Nankervis explained the Legion's virtues: "It keeps our husbands out of beer gardens for one thing. Then, too, we know that when they're at their secret meetings they're not running around with other women."

"THE MOTE AND THE BEAM"

Shocking disclosures of the so-called "Black Legion" in Michigan and neighboring states have served one purpose. It is the old story of the "mote and the beam."

They have turned the spotlight of the critics who stigmatize the south because of an occasional lynching, to this vicious organization founded on rule by terror and murder.

There has been no evidence in the investigation which would indicate the legion has successfully invaded Dixie. It augurs favorably for the south and for southern conditions generally that this organization, claiming a large membership, was not able to extend its efforts at a terroristic dictatorship into the southern states.

Lynchings are by no means confined to the south, which has seen a steady decline in this flouting of the due processes of law. The south is accustomed in its everyday life and in its thinking to the suppression of the mob spirit.

Such organizations as the "Black Legion" do not find a ready foothold here despite the effort in some other sections to place the headquarters of lynch law in the south.

That one man is dead in Michigan and that enough evidence has been obtained to arrest alleged members of the organization and charge them with murder, proves beyond doubt that an iniquitous system of outlawry exists in Michigan and perhaps in neighboring states.

Yet those who have followed the developments must believe the original claims of more than a million members and a wide organization were exaggerated.

It serves to illustrate the efforts at anarchy which may be furthered by small secret groups of subversive tendencies. And this "legion" has aroused the public to a demand for investigation of all such groups and their policies.

That the south is free of any relationship with this and other such subversive organizations is a source of gratification.

BOMB PLOT LAID TO BLACK LEGION

Suspect in Penlan Flogging Bares Plan To Kill Michigan Village Head.

DETROIT, June 5.—(AP)—An attempt by the Black Legion to enforce its political demands with a bomb plot against the life of a suburban village president was charged to the hooded terrorists today as rumors of another death conspiracy met prompt denial.

Political implications of the secret society are being considered by state officials directing grand jury inquiries into several floggings, unexplained deaths, and arson cases, and by advocates of a congressional investigation of the night riding band.

Frederick A. Gulley, one of nine men charged with kidnaping and flogging Robert Penlan for non-attendance at Black Legion meetings, told detectives legion members planned at an open air meeting to kill William Voisine, president of Ecorse, whom they opposed on religious grounds.

Davis "In Charge."

Gulley said Harvey Davis, held with 14 others for the Black Legion "execution" of police, was in charge of the meeting at which it was decided to bomb Voisine's home, but said Davis "did not issue the order."

"They didn't have any man they figured strong enough to run against Voisine," Gulley said, "so somebody in the crowd said 'why not get rid of him?' Somebody else said 'bomb his home,' and a man was appointed to pick three men to do the job."

A bomb exploded at Voisine's home the night of August 7, 1935, but the official, his wife and their son, in the house, were not injured.

Rumors that the Black Legion was responsible for a black powder bomb that caused slight damage at the home of the Rev. Charles E. Coughlin, Royal Oak, Mich., priest, three years ago, were derisively denied by Dayton Dean, confessed "executioner" of the terrorists, who has said he will plead guilty to the kidnaping and murder of Charles A. Poole May 12. It was Poole's death which led to the unmasking of widespread Black Legion activity.

Oakland County Probe.

Whether any action will be taken against David C. Pierce, presecutor of Oakland county (Pontiac), who announced he had attended meetings of a club found to be affiliated with the Black Legion, will be determined early next week, Attorney General David H. Crowley said today. He planned to confer with Governor Frank D. Fitzgerald, who said at Lansing:

"If Pence took part in Black Legion activities in Oakland county and it were proven before me in a hearing, I would remove him from office," said Crowley.

A grand jury inquiry of Black Legion activity in Oakland county, where a citizens committee has charged several officials were involved with the secret terrorists, will open next Wednesday.

Council of Churches Assails Black Legion; Use of Name Protestant Held 'Shameful'

The use of the name Protestant by the Black Legion is assailed by the Federal Council of the Churches of Christ in America. This designation for the terroristic Michigan organization is characterized as "unjustifiable and shameful."

The report adopted by the executive committee of the council and sent out as a message to the churches also condemns the use of the name of God Almighty in the Black Legion oath as blasphemous. The report also denounces fascism and communism as forces "suppressing political freedom and turning to force as a solution of social problems."

Concerning the Black Legion, the report states, "The direction in which these happenings (lynchings, terrorism, and anti-religious movements) are tending is brought out in the shocking revelations of the operations of the Black Legion in Michigan. These disclose the extreme of cruelty and social danger to which a red-baiting, anti-Semitic, anti-Negro, anti-Catholic, organization easily goes.

"We appeal to Christians throughout the nation to exercise the utmost vigor in opposing such tendencies as these, which are sowing fears, hatreds and dissensions at a time of great social emergency and danger, when our people should be able to think soberly and to act unitedly."

Attention also is called in the report to the "repressive tendencies" in this country such as "gag laws" and teacher's oaths which the council holds are contrary to the free spirit of educational institutions.

"Teachers are compelled to take oaths which degrade their professional standing," the report says. "Lynching is still rampant, groups of vigilantes take the law into their hands and perpetuate brutal outrages such as that which recently disgraced the city of Tampa. There are even signs of a whispering anti-Semitic agitation such as, unrestrained, has left an indelible stain upon the German Government."

COLUMBIA, S. C.
RECORD
MAY 29 1936

The Backward South.

The so-called Black Legion, if the stories told of t in Michigan may be believed, seems to be a sort of lynching union, an organization to incorporate the lynching spirit and to put lynch law on a business basis.

Maybe there is some significance in the fact that it had its origin and its strength outside the South. **Even in lynching, it seems, the South is a backward region.**

Klu Klux Klan – 1936

Michigan.
6

BLACKSNAKE WIELDERS:

More Seized as Michigan Gets Details of Fantastic Plotting

In the late summer of 1936, the American Revolution broke with full fury. On September 6, without warning, the Black Legion seized the State Government in Michigan. Secretly armed and summoned to their prearranged posts by radio, thousands of Black Legionnaires descended on Government buildings, police stations and transportation terminals. Cowering officials were hauled out of their beds, lined up against convenient walls and shot. The hysterical populace awoke to find hooded night-riders organized along the lines of the Ku Klux Klan in complete control.

Rapidly, the bloody revolt spread—

Acme

His disappearance gave Michigan authorities new worries: Virgil F. ("Bert") Effinger

Not an excerpt from a history of the future, but prophecy based on affidavits submitted to a one-man jury in Detroit last month—prophecy that faded still further into the realm of fantasy as Michigan drew its net more tightly about the Black Legion.

More than fifty men were held on various charges; authorities were still on the hunt. Stories of death plots in Highland Park, Detroit suburb, raised to twenty-four the number of alleged Legionnaires indicted by hefty Circuit Judge James E. Chenot for criminal syndicalism.

Last week also the first Black Legion case to come to trial was cleaned up when Circuit Judge Joseph Moynihan sentenced three Legionnaires convicted two weeks earlier of falsely imprisoning a rebellious fellow member. Eleven Legionnaires faced trial early this week for the "ritual murder" of Charles A. Poole, WPA worker, in Detroit on May 12. Five more will be tried September 9 for killing a Negro hod-carrier in 1935, "just for the fun of it."

Lone Juror—Since the Poole slaying uncovered the existence of the terrorist cult, Judge Chenot has been sitting alone as a Grand Jury listening to witnesses presented by stocky Chester P. O'Hara, Assistant Attorney General of Michigan.

Interwoven in the picture presented to him of a major conspiracy to overthrow the Government were minor plots. A Detroit city bacteriologist was dismissed after he admitted to Prosecutor Duncan McCrea of Detroit that he had received, but not reported, a suggestion that typhoid germs be placed in milk and cottage cheese delivered to Jews. A Black Legion printer informed investigators that Legionnaires actually talked of throwing bombs into public meetings, schools and automobiles; spurting poison gas through keyholes; jabbing persons "in the streets and theaters" with hypodermic needles "that would produce death." Other affidavits revealed alleged plans to kill a city official and a newspaper publisher in Highland Park.

The echo of blacksnake whips cracking and of fists smacking wavering members ran through the testimony. Once having taken the bullet-sealed oath, it was worth a member's life to try to get out.

The disappearance of bulky Virgil F. (Bert) Effinger last week from his frame house on a dirt street in a middle-class neighborhood of Lima, Ohio, prompted Michigan authorities to demand his extradition, later authorized by Ohio's Governor Davey. From behind a huge desk in the basement of his home, Effinger directed the reputed 6,000,000 members of the Black Legion, according to Prosecutor McCrea.

Phrase Boomer—At his extradition hearing last week, Effinger, a dark-eyed electrical contractor sixty-three years old, sat coatless, displaying bold suspenders, chewing tobacco, mopping his brow and yawning. When he speaks, he booms such phrases as "the American way," "blood of our forefathers," "the Constitution must be protected." When he writes, he misspells many words.

Paradoxically, the criminal syndicalism law with which Michigan wants to trap Effinger has been invoked chiefly against Communists, who share with Catholics, Jews and Negroes the Black Legion's hate.

The statute, passed in 1919, provides penalties for any person convicted of having "advocated or taught the duty or necessity of crime, sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political reform."

In August, 1922, Communists held a national convention in the sand-dunes near Bridgman, Michigan. Seventy-five of them were arrested in a raid. William Z. Foster and Charles E. Ruthenberg, Communist leaders, were tried. Ruthenberg was convicted, and the Michigan Supreme Court upheld the constitutionality of the criminal syndicalism statute upon appeal.

Jury Cleared Of Society's Members Sought In Black Legion Death Trial

DETROIT, Aug. 31.—(AP)—Selection of a jury to try 12 men for the killing of Charles A. Poole will get underway in Circuit Court tomorrow with Judge Joseph A. Moynihan taking unusual precautions to prevent members or former members of the Black Legion being seated in the jury box.

It was the roadside "execution" of Poole to "keep him from talking" that led to disclosure of the existence of the terroristic order whose officers have claimed a membership throughout the country in excess of 6,000,000.

Each of the prospective jurors will be asked:

"Are you now or have you ever been a member of the so-called Black Legion or any other organization with a ritual favoring violence or law violation?"

Judge Moynihan said he will question the jury panel himself because:

He proposes to make sure no member of the night riding society shall pass judgment on fellow members;

He intends that the trial, already delayed several weeks by various developments, including sanity motions, shall be carried through with dispatch.

Court attaches indicated the question regarding Black Legion membership, never before asked prospective jurors here, was decided upon because of rumors that the hooded band had 10,000 members in Wayne County (Detroit).

As defense attorneys made plans today to waive a jury trial for seven of the 12 defendants, Chester P. O'Hara, assistant attorney general, said the State will move Tuesday to drop either the kidnaping or the murder charge against them. All now are charged on both counts.

The State charges that "Col." Harvey Davis, Ervin D. Lee, Urban Lipps, Paul R. Edwards and Edgar Baldwin were present when Dayton Dean, "triggerman" who has pleaded guilty, shot Poole to death May 12, and that the other seven had joined in pronouncing the "death sentence" on Poole and were en route to the scene of the killing."

The seven who may waive a jury are Herschell Gill, Lowell Rushing, Virgil Morrow, Albert Stevens, John Bannerman, John S. Vincent, and Thomas R. Craig.

Klu Klux Klan-1936

Michigan. 6

Ninth Party Convention Discussion

Rising Spirit of Struggle Among Negroes in Buffalo Strengthened

By HENRY WRIGHT

For several years there has been a nucleus of active Negro Communist Party members living and working among their people in the segregated fifth ward of Buffalo. Struggles in the past have been led in this section of dilapidated and evil-smelling houses against hunger, discrimination and police terror,—three gifts of capitalism to the American Negro. Daily

Yet despite these struggles, many of which ended in victories, our party members remained detached from the broad masses and the struggles themselves remained narrow and extremely localized.

Six months ago an event took place which shook Buffalo's Harlem from one end of William Street to the other. A white business man was found murdered in his shop.

Unity Action Miller

Before the forces of frame-up could be put into motion the Buffalo newspapers revealed evidence that the murder had been committed by two white men who were seen leaving the place of the crime. However on the next day, lynch headlines proclaimed the words of the police department: "The arrest of a Negro will solve this murder."

No sooner had Homer Gill, an innocent Negro, been seized upon by the legal lynch system. than our Negro comrades grasped that weapon which had remained forgotten and unused in other struggles—the weapon of the United Front.

It was possible to establish real unity with the N. A. A. C. P., with the Negro churches and people's organizations and to weld a Homer Gill defense committee which set into motion such forces, that Homer Gill today is restored to his people.

The Homer Gill case has demonstrated to us certain profound truths which underlie the new tactical line of the Communist International with regard to the United Front. Before the Homer Gill case it was difficult for some of our people to really grasp the fact that a deep-going change is taking place in the minds of formerly passive and even reactionary representatives of the Negro people. 6-5-36

Yesterday these people fought us bitterly. Today, under the impact of seven years of devastating crisis, there is a rising bitterness against the lot of the Negro people among the masses of Buffalo as elsewhere. There is a nationalism which has been greatly sharpened by the robbery and devastation of Ethiopia—a nationalism which, however, because of the work of Communists more than anything else, can be united solidly with the struggles of the white toilers against the com-

the call issued by the League of Struggle for Negro Rights. Every Negro organization in Buffalo was visited. Every shade of opinion was represented. But all were united behind the slogans raised by the L. S. N. R. Most significant was the reaction of the Negro preachers who spoke first of the necessity of 'avoiding Communist tactics," then of "the absolute necessity of picketing" and thirdly, "the Communists must be the ones to organize and lead the picketing because they alone understand such things."

The struggle which developed against Fierstein against discrimination found the Negro people face-to-face with official reaction: the police and the courts. But the courts found a united Negro population facing it and not a single dollar in fines nor a day has been served by those arrested in this struggle.

We built the National Negro Congress in Buffalo on the basis of these events. The local Council of the National Negro Congress is headed by prominent Negro trade unionists and clergymen. In preparation for the Chicago Congress more than $200 was raised among Negro organizations and over $50 in literature was sold. This was possible only because we had established a united front.

Scottsboro Case

In looking back over the past six months we can note that a real beginning has been made by means of the united front to level the barriers between our Negro Communists and the masses of non-party people in the Negro section of Buffalo. More than this: on the Scottsboro issue we established an alliance between the white trade union movement, the Socialists, liberal white clergymen and Rabbis, and the Negro people; the broadest united front ever established in Buffalo on any issue which at the same time included the militant section of the working-class. From this we learn; unity among the Negro people is a powerful lever in achieving unity among the white toilers.

With this in mind it is necessary to examine critically the activities of our white Communists. Where were they in the Homer Gill case the Fierstein struggle, the National Negro Congress and in the Scottsboro Defense? Did they recognize that the struggle for Negro rights is firstly the duty of the white workers?

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Recently the Negro correspondent to Ethiopia, Rogers, spoke in Buffalo in a Negro church. More than 500 were present. Six white Communists comprised the entire white participation in that meeting.

We must raise the alarm. The Negro people are moving towards unity with the white workers. There is a rising spirit of national consciousness among the oppressed Negro people. Upon our white Communist depends the answer: will the unity of Negro and white be firmly established in Buffalo in the interests of all toilers? Or will the rising spirit of struggle be shunted into channels harmful to the Negro people and the working-class as a whole.

A handful of Negro Communists and one or two white workers have laid the basis for a powerful united movement against reaction among the Buffalo Negro people. That unity can become an irresistible force when the entire Party recognizes that the struggle for Negro rights is the struggle of every white as well as Negro Communist. mon enemy of Negro and white—the reactionary white ruling class.

The Homer Gill case indicated this. The Fierstein case clinched it. A few housewives, members of the League of Struggle for Negro Rights, in their activities towards the calling of a meat strike unearthed a case of rank discrimination against the Negro people.

Fierstein Case

This case involved a well-to-do white merchant by the name of Fierstein whose trade and wealth came predominantly from the Negro people. Not only did this chauvinist refuse to give employment to Negroes but he also refused to accept milk from a white dairy which hired Negroes as drivers. New York, N.Y.

In passing it should be noted that Millers Dairy in hiring Negro drivers established a precedent in Buffalo by giving such responsible employment to members of the Negro people. A delegation from the L. S. N. R. presented the issue to Fierstein: "We demand the employment of Negro people in your business and a percentage of your trade to go to Millers Dairy where Negro drivers are employed. We demand that this be done without laying off or cutting the wages of your white employees." Fierstein refused.

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In the bombing of the Mayor's home several men placed an explosive in the stone vestibule of the front door. This blew an 18-inch hole through to the cellar.

Just before this bombing a group of Black Legion members threatened to bomb the home of George R. Rink, veteran steel master and founder of the Michigan Steel Corporation. The company is now known as the Michigan Steel Works of the Great Lakes Steel Corporation, a subsidiary of the National Steel Corporation, headed by E. T. Weir of Pittsburgh.

The threat was made because Mr. Fink attempted to learn the names of minor executives controlling employment in the two Ecorse plants who hired Southern and out-of-State workers in preference to local, highly experienced steel workers whose names were on the roster of the Municipal Employment Bureau.

Many cases had been found in which men who had slept the night before in a police station as transient relief cases immediately obtained jobs while Ecorse and Wyandotte men were still waiting to be called.

When the threat became known the existence of the Black Legion as such was not suspected and it was thought that the plot was one by a fraternal group with political ambitions. This was discounted when investigation developed that the plot had originated in the lodge and was declared by company officials, as well as the village administration to be a legitimate, if "hot-head," organization.

Police Guard Set Up

Heavy police protection placed around the Fink home led the terrorists to abandon the plot.

In June, 1934, after the lodge had received its charter, a strike was hired many non-union men to prevent a stoppage in production. one plant. Production For a short time, according to an continuously large authoritative source, expenses for Company officials, the service department were three meeting the national times the payroll. About 6,500 men workers and in some are employed in the two plants. exceeding it because With the company prepared to like the National Steel maintain production, output in new $10,000,000 plant creasing and steady employment in side of town fronting sight, tempers cooled and the strike Detroit River, is one of the was called off. The Amalgamated most efficient in the industry, Lodge gradually declined. The com-

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pany encouraged the organization of a company union, the Michigan Relief Association.

Coerced Into Membership

Up to that time the Black Legion had been only a small group, with some members in the legitimate union. Then it came under the control of a man who had been an organizer of the Amalgamated Lodge and at about the same time it gained the membership, by coercion, of the man who is the head of the Michigan Relief Association.

The Michigan Relief Association had branches in all the Down River steel and alkaline mills, which gave it power in Ecorse and Trenton, steel towns, and Wyandotte, an alkaline town. It conducted social affairs and made loans to members to enable them to liquidate depression debts.

With a foothold in the relief association, the Black Legion group forced foremen and superintendents, at the point of revolvers, to join their organization and finally obtained by coercion the allegiance of at least two, and perhaps three or four, minor local executives of the company, and one executive of the Municipal Employment Bureau.

With considerable re-employment in sight, the companies adopted the policy of giving job preference to experienced local men, regardless of whether they had been active in the union. But the local workers found themeslves discriminated against in a disguised fashion. Former leaders of the legitimate union were re-employed, but long-time residents of the industrial towns, whether they had been union men or not, found themselves waiting.

Spread to Motor Towns

While this was going on, the Black Legion was also gaining a foothold in the automobile industry. In Jackson and Pontiac, General Motors towns; Monroe, a Hudson town, and River Rouge, a Ford town, comparatively strong "regiments" were established. In four cases the automobile companies became aware in a general way of the movement and planted investigators in the organization. But there were at least two investigators whose affiliation was not known that these men were proponents of a modern revival of the tactics of the Molly Maguires of Pennsylvania.

In Monroe, the existence of the secret society first became known when three leaders brazenly appeared in the company offices demanding the discharge of the five men who had been active in the local Automobile Workers Union, one of whom was John Bielak.

The company refused to discharge the men. Bielak was later taken out into the country by four men in two cars and shot dead. On his body was found a card of the Wolverine Republican League "Innocents Club" of the Black Legion, a meeting of which, May 12, was followed by the murder of Charles A. Poole.

George Marchuk, janitor of a public school in Lincoln Park, used to preach communism to the children. For this, and his support of the Auto Workers Union, Mayor Voisine said, he was kidnapped by members of the Black Legion, shot and killed and his body thrown from a car near his home. Arrests in this case are expected soon.

Pidcock Was Union Organizer

Roy V. Pidcock of Wyandotte had been an organizer for the legitimate union in the Michigan Steel Works. Attempts were made to force him to join the Black Legion, the Mayor said. Either he joined and refused to attend further meetings, as did the Mayor's chief investigator, or he refused to join. This point has not been established.

However, his wife has asserted that he was flogged. He disappeared two days after the flogging. His disappearance was on May 13, the day Poole's body was found. Pidcock was found hanged on a Canadian island in the Detroit River.

The Black Legion was opposed to independent unions because it considered them rivals in a contest for industrial power, Mayor Voisine said. In the down-river steel plants the men it had placed in jobs, together with the men it had recruited by terror, total 35 per cent of the working population. This is only slightly less than the strength of the lodge of the Amalgamated Association at the height of its power.

From several of the six men already under arrest in the kidnapping and flogging of Robert Penlan, Ecorse steel worker, the Mayor's investigators learned that the Black Legion was planning to call a strike soon in the down-river steel plants to consolidate its control of employment. This plan has been nipped by the exposure of the organization.

Entered Politics Aggressively

The Black Legion's solidified its industrial control, then entered politics to gain cotnrol of law enforcement agencies. It was active in the ecorse shortly before it undertook political activity in Lincoln Park, formerly a Klan stronghold. Pontiac political activities were begun at about the same time. In Jackson, control of the Republican county convention was sought a few months ago. In Detroit political activities were begun last year.

The strategy in ecorse was to form clubs for the natives of each "Southern" State. There was a Tennessee Club, the strongest; a Kentucky Club, an Ohio Club and a West Virginia Club.

Despite its 100 per cent "Americanism" and its propaganda against aliens as well as Catholics, Jews and Negroes, the Black Legion attempted to organize under cover a club which would bring in the vote of those of Polish, Hungarian and Balkan exaraction. A "council of clubs" was formed to amalgamate these groups.

It is expected by Mayor Voisine, as well as by Duncan C. McCrea, Wayne County Prosecutor, with whom he is cooperating, that the arrest and conviction of leaders of the Black Legion wil bring about its disintegration. The same process rid the anthracite district of the Mollies.

The industrial companies will assure their employees that if they became members of the Black Legion, but did so under coercian, they will not be dismissed

RICHMOND, VA.

NEWS-LEADER

JUN 4 - 1936

EDUCATION PLUS VIGILANCE.

We continue to print at length the details of the trial in Detroit of members of the Black Legion not merely because this is a proceeding of extraordinary interest but likewise because it is a warning of What Can Happen Here.

It is a vice of long-established representative governments to assume that their rightness will be recognized by all except those who preach communism. History lulls us into a drowsy feeling of security. We fail to realize, as a people, that the mob-mind is as readily excited on the Right as on the Left. Every gang of lynchers thinks itself serving GOD and law. The Black Legion doubtless extolled ignorance as patriotism and hate as virtue. Left alone, it might have become as pernicious as the Ku Klux Klan and as murderous as the Anti-Semites of *Nazi* Germany.

Adult education, as we tried to explain the other day, is the only cure for this outcropping of hideous animosities in the name of religion, but education must be supported by civic vigilance. Our danger is not that a foreign foe will invade our shores and overthrow our institutions. Real danger lies in the indifference of the average honest American to the defiance, within our own land, of the justice and fair play that should be the first and the fullest expression of the representative principle.

ATLANTA, GA.

CONSTITUTION

JUN 4 - 1936

"THE MOTE AND THE BEAM"

Shocking disclosures of the so-called "Black Legion" in Michigan and neighboring states have served one purpose. It is the old story of the "mote and the beam."

They have turned the spotlight of the critics who stigmatize the south because of an occasional lynching, to this vicious organization founded on rule by terror and murder.

There has been no evidence in the investigation which would indicate the legion has successfully invaded Dixie. It augurs favorably for the south and for southern conditions generally that this organization, claiming a large membership, was not able to extend its efforts at a terroristic dictatorship into the southern states.

Lynchings are by no means confined to the south, which has seen a steady decline in this flouting of the due processes of law. The south is accustomed in its everyday life and in its thinking to the suppression of the mob spirit.

Such organizations as the "Black Legion" do not find a ready foothold here despite the effort in some other sections to place the headquarters of lynch law in the south.

That one man is dead in Michigan and that enough evidence has been obtained to arrest alleged members of the organization and charge them with murder, proves beyond doubt that an iniquitous system of outlawry exists in Michigan and perhaps in neighboring states.

Yet those who have followed the developments must believe the original claims of more than a million members and a wide organization were exaggerated.

It serves to illustrate the efforts at anarchy which may be furthered by small secret groups of subversive tendencies. And this "legion" has aroused the public to a demand for investigation of all such groups and their policies.

That the south is free of any relationship with this and other such subversive organizations is a source of gratification.

Klu Klux Klan - 1936

Michigan - 6

Black Klan in Michigan Used War Department Rifles

30 Join National Organization To Fight Black Klan Terror

Auto Company Industrial Spy Among Four Who Admit Burning Home of Labor Sympathizer

By George Morris

(Daily Worker Michigan Bureau)

DETROIT, Mich., June 11. — More than thirty outstanding political cultural and church leaders throughout the country already accepted its invitation to serve on the special People's Investigating Committee to expose the Black Legion and all its connections, the Conference for Protection of Civil Rights announced today.

The entire personnel of the committee will be announced at the protest mass meeting against the Black Legion called by the conference Friday night at Cass Technical High School. Congressman Vito Marcantonio and other nationally-known speakers will appear.

Meanwhile the Rev. J. H. Bollens, chairman of the conference, issued an appeal that Senators and Congressmen be deluged with wires or letters asking support to the Benson-Dickstein resolution which calls for a congressional investigation of the Black Legion.

"These communications must be sent within the next few days as Congress will probably adjourn early next week, and will not convene for six months," Bollens said.

If a Congressional investigation is not granted, this committee will be the only means through which the country generally will learn of the character and sponsors of the Black Legion. The one-man Republican controlled grand jury is strictly secret and will obviously not make known any findings that may prove damaging to the Republicans, especially in an election year.

Negro Congress Acts

The Michigan State Council of the National Negro Congress called a united meeting to expose and protest against the Black Legion Wednesday, June 17, at Ebenezer A.M.E. Church, Willis and Brush.

Speakers listed include Snow F. Grigsby, regional vice-president of the Negro Congress; Judge Patrick H. O'Brien, former attorney general; the Rev. A. C. Williams of the Metropolitan Baptist Church the Rev. G. W. Baber, vice-president of the State Council of the Negro Congress; Maurice Sugar, labor attorney and Farmer-Labor leader; L. C. Blount, president of the National Association for the Advancement of Colored People Attorney R. J. Evens, chairman of the State Council of the Negro Congress, and Attorney Le Bron

Adjutant General Bersey Was Sponsor of the Legion Blind

By Alan Max

(Daily Worker Washington Bureau)

WASHINGTON, June 11. — The Wayne county (Michigan) Rifle and Pistol Club, the "blind" for Black Legion leaders who wanted to practice shooting at government expense, was sponsored by Colonel John S. Bersey, Adjutant General of Michigan, it was revealed today in an interview with General Milton A. Reckord, executive vice-president of the National Rifle Association.

The club, it was learned, is one of 16,000 branches of the National Rifle Association, with a total of 100,000 members, equipped by the United States War Department with '22 and '30 calibre practice rifles, ammunition and targets, at an annual cost of more than half a million dollars.

Other disclosures were:

The head of the National Rifle Association holds the opinion that, while that organization is concerned with preparing men for external emergencies (war), nevertheless "a good marksman will shoot as straight in an internal emergency as in an external one."

Any group of ten citizens, 18 years and over, can form a rifle club, and having obtained the approval of the State Adjutant General and then of the National Rifle Association, is eligible for War Department equipment.

The Army Appropriations Bill for the fiscal year, beginning July 1, 1936, provides $545,726 for such rifle practice. The appropriation only awaits the approval of Secretary of War Dern who is expected to sign it as a matter of course.

"Purposes" Explained

At the offices of the "patriotic" National Rifle Association, General Reckord explained the purposes of the organization. As Adjutant General of Maryland, Reckord is the highest military official of that state and head of the National Guard there.

"Our purpose is to promote sport and to prepare American citizens in case of an emergency," the General declared.

Asked whether "emergency" included both external emergencies, that is war, and internal emergencies, Reckord looked up quickly.

"We haven't given any thought to internal emergencies," he said. Then with a sly smile:

"But I suppose that a good marksman can shoot as straight in an internal emergency as he can in an external one. And he broke in a loud chuckle.

A "Small" Club

He had noticed the item in the press reporting that Police Inspector John A. Hoffman of Detroit had said that Black Legion members confessed that eight or ten of them practiced shooting every Monday night at the Wayne County Pistol and Rifle Club.

Since he had seen only one such press item, Reckord was not particularly perturbed—but just enough to have looked up the record of this one among 16,000 clubs and to have the facts at his finger tips.

The club had been formed during the last year, he said. It had thirty-five members, and was "as our clubs go, a small one." He figured that during a year, each member would receive 150 rounds of ammunition to practice with.

In answer to a question, the General explained that the Wayne County Rifle and Pistol Club had come on their rolls in the usual way, that is it had received the endorsement of the Adjutant General of the State—in this case, Colonel John S. Bersey, head of the Michigan National Guard.

A Local Matter

If there were acutually Black Legion members in the club, Reckord went on, they would not, of course, continue certifying it for ammunition. He would leave it to the local club to clean things up. If after a reasonable time, nothing had been done, then the national organization would step in. In any case, Col. Bersey—"as straight a man as you would care to find"—would watch out for things. And besides, they didn't have any information anyway.

The National Rifle Association, chartered in 1871 and composed originally of National Guardsmen and civilian riflemen, does not itself distribute the ammunition to the clubs. It certifies the clubs and notifies the National Board for the Promotion of Rifle Practice, which does the actual dispensing of ammunition and rifles. This board was set up by the National Defense Act of 1920.

Captain R. H. Lord, secretary to the Board, at its headquarters in the Navy Building, explained how ten American citizens—18 years and up—could form a rifle club, pay a $10 fee, and if the National Rifle Association granted it affiliation become eligible for War Department supplies.

Ninety in Waiting List

The Board had a ruling that it could handle only 16,000 clubs. They had had that many now, with a total membership of about 100,000 and with a waiting list of another 90 clubs, he said.

Asked how they could safeguard against issuing ammunition to clubs connected with the Black Legion and similar organizations, Captain Lord shrugged his shoulders. "We can't investigate every one of 16,000 clubs," he said. "We take the word of the National Rifle Association." He thought there "might" be some kind of investigation before the Wayne County Pistol and Rifle Club were given its next year's supplies.

At the United States War Department it was said that nothing was known about the case and that there would probably be no investigation unless a request for one came from the Adjutant General of Michigan — that is, unless Col. Bersey asked for an investigation of the club which he had sponsored.

$545,726 Given by U. S.

It was explained that the $545,726 allotted by the new Army Appropriation Bill for use by the National Board for the Promotion of Rifle Practice, was now waiting the signature of Secretary of War Dern.

The half-billion dollar War Appropriation Bill, already passed by Congress and signed by the President, provides that $545,726 is to go for "construction, equipment and maintenance of rifle ranges, the instruction of citizens in marksmanship and promotion of practice in the use of rifled arms; for arms, ammunition, targets and other accessories for target practice for issue and sale in accordance with the rules and regulations prescribed by the National Board of the Promotion of Rifle Practice and approved by the Secretary of War."

PENNSYLVANIA GETS DETROIT CULT DATA

Investigators Reach City to Study Evidence Pertaining to Their State.

SIX MEN HELD IN FLOGGING

Judge Fixes $50,000 Bail, Saying the Charge Is 'Not Very Far Removed From Murder.'

By WILL LISSNER

Special to THE NEW YORK TIMES.

DETROIT, June 9.—Under plans to carry forward aggressively the Pennsylvania investigation into the Black Legion and similar organizations, N. L. Wymard, Chief Deputy Attorney General of Pennsylvania, and a staff of investigators, including detectives of the Pennsylvania State police, arrived here today to receive from Duncan C. McCrea, Wayne County prosecutor, evidence pertaining to their State. The force was sent by Charles J. Margiotti, Pennsylvania Attorney General.

Mr. Wymard conferred with Mr. McCrea and questioned Dayton Dean and George C. Johnson, held in the slaying of Charles A. Poole. Johnson has given a statement in which he said he was a member of the secret society nine years ago, when he lived in Altoona, Pa. He is a retired railroad worker.

Pennsylvania's anthracite coal-mining regions were terrorized by the Molly Maguires between 1854 and 1877. Evidence developed in Michigan shows the Black Legion to be a revival of the Mollies. In its night-riding, political dealing and ritualism it also copies activities that characterize the old Ku Klux Klan.

Follows Visit by Earle

The arrival of the Pennsylvania investigators was a development of conferences Governor George H. Earle and Mr. Margiotti had with Mr. McCrea during the past week-end. Mr. Earle was here to give an address.

After today's conference Mr. McCrea said that Mr. Wymard came doubtful that subversive groups in Pennsylvania were affiliated with Michigan's night-riding Molly Maguires, but was convinced from the evidence here that the Black Legion is older in Pennsylvania than in Michigan.

The evidence included information concerning groups operating under various names in Pennsylvania, the largest of which adopted the name of a legitimate organization there. The Pennsylvania authorities believe that the Black Legion operates there under the name of the Black Shirts, according to the Detroit prosecutor, but the name Black Legion also has been used.

Dean spoke frankly about the activities of the Black Legion, Mr. Wymard reported to Mr. McCrea. Johnson has told of transferring from the Black Legion in Pennsylvania to the one in Michigan when he moved here a few years ago.

Also in this evidence received by Mr. Wymard was a list of names to be checked. This was turned over to him by Mr. McCrea.

In a preliminary examination today, six more members of the cult were held for trial, bringing the total thus held in the State to twenty-three. Common Pleas Judge Charles Rubiner held the six men in $50,000 bail under two sureties on a charge of kidnapping Robert Penland, Ecorse Steel worker, preliminary to his flogging for failing to attend meetings of the society.

Crime Held Akin to Murder

Refusing to reduce the bail, Judge Rubiner said:

"The charge is one of kidnapping, accompanied by a flogging. How far is thta removed from murder. Not very far. If Penland had died as a result of the flogging the charge would have been murder.

"The criminal intent to commit a crime second only to murder was there. The temptation to flee on the part of these defendants would be very great."

For the third time a member of the Black Legion, despite the fearful oath of secrecy to which members were sworn and which halted the tongue of the complainant in this case, turned State's evidence and provided the proof of probable cause on which his confederates were bound over for trial.

As he was resting his case Mr. McCrea announced that he understood that one of the defendants, Frederick A. Gulley, a steel worker, wished to make a statement. After objections by Clyde L. Fulton, counsel for the Black Legionnaires, however, he was obliged to offer Gulley as a State witness.

Gulley disclosed that he was an informer within the organization for William W. Voisine, Mayor of Ecorse. He said that he decided to break away from the organization six weeks after he had joined it a year ago and had gone to Mayor Voisine for help. He stayed in to gather information at Mr. Voisine's request, he asserted.

Gives Eye-Witness Account

He gave an eye-witness account of the kidnaping of Penland, in which he took a leading part, and revealed the existence within the terrorist society of a "blacklist" of those who neglected membership duties or orders. He also disclosed the organizational work by which the society was held together. He related:

"Go down and bring Penland out to the meeting. That was our orders down at Harold Lawrence's. If I didn't obey, the same thing would happen to me.

"If I disobeyed an order I would be put on the blacklist. A member on it is generally corrected in some way or other, either a tongue-lashing of a beating. Sometimes, they say, they bump you off. It was my orders.

He told of luring Penland to a car the night of Oct. 5, 1935, forcing him at the point of a revolver to accompany him, Thomas Cox and Earl Angstadt to a field in the country, and of seeing Lawrence, his "captain"; Charles King, a "major," and Wilbur Robinson, "brigadier general," talk with the victim. He continued:

"They led Penland over to the circle (of members), put his arms around a tree and tied him to it. Then one man started whipping him. I don't know who he was, he was dressed in a black hood. I went back to the car. I didn't want to see anything like that. Penland didn't say anything afterward. The meeting lasted two hours after that."

To aid in keeping the group together, he said, superior officers made visits to the homes of members. Lawrence, he added, was a frequent visitor at his home after he had been initiated. He charged that when he finally broke away, a crowd came to his home and tried to lure him to a car. He took a gun, he declared, and confronted the men with it, ordering, "either get goin' or I'll start shootin'."

William Savage, 48, a contractor, was taken into custody today as a suspect in the Poole murder.

Dayton Dean's estranged wife, Mrs. Margaret Dean, was detained for appearance before the grand jury. She said she would tell of her knowledge of a plot to assassinate the Rev. Charles E. Coughlin in which her husband took part until it was abandoned. She has already told the story in signed newspaper articles. She and Dean were questioned in each other's presence.

Charleston, S. C. News & Courier
June 8, 1936

Michigan Enforces Law

The murder of Poole in Michigan by the "Black Legion" had it been done in South Carolina, whether by members of a society or a suddenly assembled mob, would have been called a "lynching"—especially if the victim had been a negro. In the North is a chariness about the use of that word. In every part of the United States have been lynchings, often by secret societies. We had "regulators" who took the law into their own hands in colonial days—chiefly in localities where the law was slow to arrive.

"Lynching" is persistently and skillfully projected as Southern and the federal government is asked to pass laws against it. That is part of a campaign to give to Southern negroes political rights which they are not now exercising.

The state of Michigan is showing its ability to put down the "Black Legion" and punish the felons in its membership. It is proving the emptiness of the pretense that the federal government and its courts are holier, juster, more efficient than the state courts.

The "Wagner-Costigan" bill rests on the theory that for some mystic and unexplained reason the American people as One Big State are superior in virtue to the peoples separately of forty-eight states. The "liberals" supporting the bill are the same that would have abolished the courts and government in Massachusetts a few years to save the lives of Sacco and Vanzetti.

If lynchers are persons who would substitute their private opinions and actions for lawful processes, most of the "liberals" are arch lynchers. So they have always been—John Brown was one of them. William Lloyd Garrison was perhaps the most eloquent, unselfish, convinced teacher and preacher of the lynching theory that the United States has had, and he numbered among his disciples thousands of "intellectuals". They are all pharisees. They thank God that they are not as other men are.

If Michigan cannot punish its lynchers, if it is unfit to carry on government, it should be blotted out as a state, So should South Carolina. There is no reason to be precipitate about it. Civilization and law are of slow growth. Who shall do the blotting? What, the "killers" of Sacco and Vanzetti? What, the community of the Valentine's Day massacre and of the Chicago race riots?

What the American liberals want is the instant entrenchment of the "good" with a national army at their back to shoot down the dissidents.

Blood Pact Sworn by 5, Dean Says

Poole Slayer Witness Against Terrorists Held in Conspiracy

DETROIT, June 15 (UP).—Dayton Dean, "trigger man" in the Black Legion slaying of Charles A. Poole, today told a crowded courtroom how he and four other members of the vigilante band had pricked their arms with a knife and swore a blood oath to kill Arthur Kingsley, Highland Park publisher.

In the same low monotone in which he described the wanton killing of Poole two weeks ago, Dean testified at the examination of twelve men charged with conspiracy to murder Kingsley.

Roy Hepner, alleged leader of the Black Legion's "arson squad," was the officer who ordered him to "get" the suburban publisher, who was antagonistic to the Legion's candidate for mayor in 1932.

"We made a blood pact at a meeting near Eight Mile Road in the fall of 1933," Dean said. "At the meeting were Roy Hepner, Frank Rice, Alvis Clark, Albert Schneider and myself."

All those named except Dean are held in the conspiracy case.

"Hepner had a knife," Dean continued. "We all pricked ourselves with it and signed our names in blood. Hepner said that three men would be assigned to each job."

"What do you mean by the term 'job'?" asked Prosecutor Duncan C. McCrea.

"When I say job, I mean to get the person you're assigned to, to kill him," Dean replied laconically.

The other defendants glowered at Dean who sat with chin cupped in his right hand. Dean, round-faced and portly, found difficulty in recalling dates.

He said that Hepner had told him that "we'll let you know what the plans are."

At a subsequent meeting, Dean related, the Kingsley matter was again discussed.

"Roy Hepner called me over to where Clark and 'Pete' Frye was and said, 'You'll take orders from these two men and myself. If you don't do that, you'll be taken care of,'" Dean said. "My job was to kill Kingsley."

"Who told you to kill him?" McCrea asked.

"Roy Hepner."

Dean said two members of the Black Legion, unknown to him brought a .45 calibre revolver to his home. He paid $5 for the weapon.

William Foster, another defendant, reported the movements of Kingsley to Dean "25 or 30 times" during 1933. That was the year in which Frank Howard, also held, "put the finger" on the publisher in a Highland Park restaurant.

"I went in to the restaurant with Howard and he pointed Kingsley out to me," Dean said. "He told me, 'There's your man. Look him over and look him over good.' We watched Kingsley for about 15 minutes and then went out."

Almost constant objection by defense attorneys to the "trigger man's" testimony slowed up Dean's story.

The tactics of Aldrich W. Baxter, attorney for four of the defendants, particularly irritated the taciturn witness. On one occasion, Aldrich jumped to his feet to object to a

Klu Klux Klan—1936

Michigan 6

War Department Supplied Ammunition to Black Legion

Benson Gets Data for Inquiry—6 Held for Ecorse Flogging

By George Morris
(Daily Worker Michigan Bureau)

DETROIT, Mich., June 9.—Ammunition was furnished free by the U. S. War Department to the Rifle and Pistol Club, which was uncovered here as a "blind" for the Black Legion, it was revealed today. The cover-up organization for the Legion operated in Cadillac Square in the very heart of the city.

This startling evidence was unearthed with the arrest of Legionnaires Andrew and Ernest Martin, brothers, confessed officers of the club.

Among those found to have practiced at the clubs' range with ammunition supplied by the government, were Arthur A. Lupp, state commander of the hooded bands, and "brigadier-general" Wilbur Robinson, the latter now being held by the police under $50,000 bail as a flogger and kidnaper. "Triggerman" Dean, confessed murderer of Poole, also practiced his shooting there.

Records of the National Rifle Association revealed that the Black Legion "blind" had received 9,400 rounds of cartridges for free practice since it was organized last year.

When queried, George Quindt, president of the "rifle club," merely pointed to 1,800 similar rifle clubs chartered in the United States, and to a Congressional appropriation which provides free bullets.

Benson Seeks Facts

Senator Elmer Benson, Farmer-Laborite, Minnesota, here today to gather facts he needs in his resolution for a Congressional investigation, met with representatives of the Conference for Protection of Civil Rights and heard a mountain of evidence on why no genuine investigation could be expected from the secret one-man Republican-controlled grand jury now in session. He was also given a picture of the political life in the State of Michigan and how it is affected by the dictatorship of the automobile manufacturers.

He also held conferences with Prosecutor McCrea and Attorney-General David Crowley, who is conducting the grand jury inquest.

"If the organization is as extensive and un-American as we have been led to believe then I believe a congressional investigation is justified," Benson said. "That's why I am here—to find out, if I can, if the Black Legion is of sufficient importance to justify us in spending the money necessary for a thorough investigation of its activities. In a Federal investigation we would, of course, be empowered to cross the state lines and in that way I believe could come closer to getting a true picture of the whole organization than can any local or state investigation."

Protest Friday

Senator Benson pointed out that an investigation of the sort proposed in his resolution would overcome all the jurisdictional obstacles that have been raised.

The Conference for Protection of Civil Rights announced that its appeal to many prominent individuals throughout the country to serve on a committee to investigate publicly, met a good response and already includes some of the most widely known individuals. The names of the committee will be announced at the gigantic mass protest against the Black Legion at Cass Technical High School Friday night. Several of those who will serve on the committee will address the meeting.

As the Senator arrived, thirteen Black Legionnaires, charged with the murder of Charles Poole, were bound over for trial before the circuit court on charges of kidnaping and murder. Defense lawyers attempted to limit the charge only against Dean, and only for murder claiming that there wasn't sufficient evidence to indict the others in the actual murder. Judge Liddy ruled however that all were accomplices in the crime and will stand trial on the two counts.

Six other legionnaires were examined in the court of Judge Rubiner charged with kidnaping and flogging Robert Penlan, an Ecorse steel worker.

Seek Ecorse Agent

Ecorse police continued to search for Paul Pullem, former village employment manager who was hired "because of his ability to get jobs." It developed that he was an agent of the Black Legion who cooperated with the employment bureau of the Great Lakes Steel Corporation to supply Legion members for jobs. The Great Lakes Steel Corp. is a subsidiary of the National Steel Corp., headed by the union-busting Liberty Leaguer, E. T. Weir, who is also one of a committee of sixteen big industrialists that are raising funds for the Republican Party campaign.

DETROIT, Mich., June 9.—Senator Elmer Benson, Farmer Laborite, Minnesota, conferred with authorities here today preparatory to demanding federal action against the Black Legion in fifteen states, while in another part of the city five more Legionnaires were bound over to the Circuit Court, charged with kidnaping and flogging Robert Penlan, a steel worker.

While Benson conferred with State authorities today, local inquiries into the night riders continued, centering on the examination of the flogging of Robert Penlan, who was lax in attending meetings of the Legion.

Six men are accused of the flogging.

The six accused are: "Brigadier General" Wilbur Robinson, Fred Gulley, Charles King, former Ecorse Councilman; Harold Lawrence, Earl Angstadt, Thomas Cox.

Penlan hesitantly identified all as having been present at the meeting the night of Oct. 5, when he was "warned."

He told how he refused to leave the dinner table when Gulley, Cox and Angstadt ordered him to accompany them, and how "one of the men came around, his hand in his pocket, poked me in the side and said, 'Get in that car.'"

Terror-stricken he insisted he had not been mistreated. He added that he stopped on the way home for a few beers with his escorts.

Policeman Robert McWhirter of Ecorse, who questioned several of the defendants, said Gulley had told him:

"They took Penlan down in a group of men and tried him on charges. Afterwards, Penlan was taken from the group, tied face against a tree and flogged. The masked men did the whipping."

McWhirter was unable to identify the man who swung the lash, but said Robinson ordered the flogging with violence against his 8-year-old daughter as well as himself if he refused to take command of the arson squad.

"At one meeting I was called over and talked to by some men with robes on," he declared. "I was told they were high officials of the Black Legion. One man said he understood I had told Hepner I was sick of the outfit and wanted to quit. Then he said: 'We'll blow your —— —— head off the next time you give us the least trouble. Now get that straight. Organize that intelligence squad and show them how to handle guns and ammunition. You know all about that.'"

He said that at another meeting a squad of men was assigned to him and he was instructed by Hepner to "tell them to carry guns and rags and a gallon of naphtha in their cars." He added that Hepner told him to rig up a code system, "which I did."

"A couple of times I talked at the plant about tires being stolen from the loading dock," his statement read. "Some of the watchmen at the dock were members of the Black Legion intelligence squad. Four times after that I was called on the interdepartment plant phone and warned about talking of the tire thefts."

The State grand jury jailed Rudyard K. Wellman today for thirty days for contempt of court for "lying" in his testimony regarding a Black Legion flogging of Wellman's brother, Marcus.

In Pontiac Buell A. Doelle, Assistant Attorney General, announced that the grand jury there would "smoke out the Black Legion members and sift their activities no matter where it may hit." Members of the citizens committee, which charges the Black Legion had members in numerous public offices in Oakland County, were among the first witnesses.

'TORCH SQUAD' USED BY BLACK LEGION

Group Was Under Orders to Hunt Out and Burn Homes of Communists.

1934 FIRE IS CONFESSED

Four Men Are Held and Make Statements to McCrea—Naphtha Carried in Cars.

DETROIT, June 10 (AP).—A roving Black Legion "torch squad" which was directed by code messages from high officers of the terrorist society to hunt out and burn homes of suspected Communists was disclosed today, Prosecutor Duncan C. McCrea declared, by the statements of four men.

The four are Frank Rice, an investigator for the Packard Motor Car company; Clarence Frye, a foreman in the Dodge truck division of the Chrysler Corporation; Albert Swanson, Detroit City Gas Company meter reader, and Roy Hepner, a painter and decorator.

Mr. McCrea said that the men confessed setting fire to the home of William F. Mellenhauer in Oakland County in 1934, adding that they admitted they were officers in the Black Legion.

A fifth man was detained for questioning about the arson squad. He is Elvis Clark, a foreman for the Ternstedt Manufacturing Company.

Hepner is to be the first witness tomorrow before the State grand jury investigating night riding activities of the Black Legion.

Frye, a former Detroit policeman, said in a long statement that he was forced into the Black Legion against his will and threatened

BLACK LEGION'S DEEDS BOLD; IT IS NO WONDER

Its Membership In Detroit Suburb Included City, Court Officials

By Forrest Davis
Scripps-Howard Staff Writer

DETROIT, June 5.—The industrial suburbs proved fertile fields for Black Legion growth, investigations disclose from day to day as Detroit attempts to unmask the terror.

Highland Park, Dearborn and Lincoln Park "belong," as the local

saying goes, to Henry Ford. He has plants in the first two; his rouge plant workers predominate in Lincoln Park.

Highland Park, surrounded territorially by the motor metropolis, may be selected as typical. The inquiry has gone further there. In the Spring of 1934, Greater Detroit learned today, the rolls of the Highland Park Black Legion—known as the Malteka Club—included the following officials and political figures:

A city commissioner, a former mayor, a Wayne County Circuit Court clerk and a member of the Fire and Police Commission.

One Served Present Prober

Moreover, the court clerk served Judge James E. Chenot until Judge Chenot last week was selected as the one man grand jury to investigate the bigoted brotherhood. He is Clyde Markland. His brother, Ray, former mayor, is on the investigating staff of Prosecutor Duncan C. McCrea. McCrea is prosecuting the Black Knights indicted for the oath - bound lynching of Charles Poole.

The Highland Park disclosures which informed observers believe could be matched in Dearborn and Lincoln Park, were made in great circumstantiality at a hearing conducted by the suburb's fire and police commissioners. Five city employes named the political leaders as having been present at their own legion initiation.

As one follows the testimony he begins to perceive the ground for the midnight band's assurance. It may be suspected that the Black Knights had reason to believe they could get away with anything up to and including murder. Harvey Stonehouse, a Public Service Department truck driver, identified the four officials in his testimony. He recalled going with a policeman, a member, to what he thought would be a "smoker" in the basement of a dwelling house. He found several men sitting about talking politics.

Took Bullet Oath

They asked him how he would vote in the 1934 primaries, warning him he "had better be on the slate we are." He was taken upstairs, where "they asked us questions like whether we were Protestants and whether we hated Catholics and Negroes. Then they took us downstairs again." There he saw the officials.

"I saw Ray and Clyde Markland and Stanley Wilson (the city commissioner) and Elwood Sparling (fire and police commissioner) standing around. All of them had guns and a couple wore the robes with crosses on.

"We were made to kneel down in a circle and there were guns at our backs. We were forced to go through the ceremony and swear the oath. Then we were ordered to get guns."

Another witness testified that a former police captain helped to induce him. He dropped out. Twice, he swore, coiled lengths of rope were left on his door step overnight. He took them to be a warning.

The alliance between the Black Legion and municipal politics slowly comes to the light.

13 IN BLACK LEGION MUST STAND TRIAL

Judge Assails 'Sinister Spectacle' of Band Usurping Government Functions.

SENATOR BENSON IN CITY

He Visits Detroit in Quest of Evidence to Aid His Plea for a Congressional Inquiry.

By WILL LISSNER

Special to THE NEW YORK TIMES.

DETROIT, June 8.—Dayton Dean and twelve others were bound over today for trial on murder and kidnapping charges in the Black Legion slaying of Charles A. Poole.

Common Pleas Judge Ralph W. Liddy, assailing the "sinister spectacle" of usurpation of governmental functions by the secret society, ruled that the killing had been plotted. He said he felt sure that the men would receive a speedy trial. They were remanded to the county jail to await arraignment in the Circuit Court.

Six other members of the Black Legion, one admittedly a "Brigadier General," received a hearing in preliminary court proceedings on a warrant charging that they kidnapped a fellow-member, an Ecarse steel worker, so that he might be lashed for failing to attend meetings.

The case was adjourned until tomorrow morning after the complainant, Robert Penland, had told the court that he had not lodged a complaint but had been taken into custody by the prosecutor after three of the defendants had confessed taking part in the abduction. Penland identified the defendants, including Wilbur Robinson, the brigade commander. Previously he had declined to do so and had been identified by the three defendants.

Senator Benson in City

Senator Elmer A. Benson, Minnesota Farmer-Laborite, was in Detroit today in an effort to obtain evidence from Michigan officials bearing on the question of Federal law violations. He seeks a thorough Federal investigation of the hooded cult. He arranged a conference with Duncan C. McCrea, Wayne County prosecutor, who announced recently that he had evidence indicating Federal violations.

Senator Benson said he hoped to gather material to bring about adoption of a concurrent resolution for a Congressional investigation of the set-up and ramifications of the terrorist society. This, he suggested, would permit the Department of Justice to enter the case. The resolution is sponsored in the lower house by Representative Samuel Dickstein of New York.

Rudyard R. Wellmann, a Detroit garage owner, was arrested and ordered held for the Wayne County grand jury, which convened again today. Wellman was said to be an officer of the Black Legion, but denied any connection with the organization.

Ray Ernest, "brigadier general" in Jackson and ousted State prison guard, who, according to Prosecutor Owen Dudley, has been named in four floggings in that area, will be arraigned in circuit court at Jackson tomorrow with three others, his brothers, Glenn and Clarence, and Allen Basom. They are charged with kidnapping and felonious assault in the flogging of Harley Smith of Norvell for failing to attend meetings.

"Colonel" to Be Examined

Also to be examined tomorrow in Jackson is Glenn V. Finkel, a salesman, and "colonel" in the society, who is charged with felonious assault to force the Rev. Ralph C. Montague, Baptist pastor, to undergo initiation in the night riders.

Prosecutor Dudley, who obtained a score of subpoenas for witnesses before Judge Ernest J. Rogers, sitting at grand juror in Jackson, said that at least five more Black Legion members would be named in warrants yet to be sworn out. He said the grand jury investigation would be continued until every case of kidnapping and flogging in the county had been covered.

With more than thirty men in lower courts on charges growing out of Black Legion activities, and scores facing dismissal from public employment as members of the hooded order, the State won a legal victory today when Judge Liddy ruled that the problem of separating incompatible counts of kidnapping and murder in the Poole case warrant need not be faced by the prosecution at this time and was one to be resolved by a jury in Circuit Court.

The ruling came after argument by Prosecutor McCrea and by Attorney General David H. Crowley. Mr. Crowley later attended the hearing on the Penland case as an observer, but did not intervene.

Judge Cites Mob Cries

Judge Liddy announced early in the session that after studying the record, there was no question in his mind involving the "holding all these defendants on the charge of kidnappin. The question is whether all should be held on the charge of murder." He pointed out that in the alleged mob outcries which preceded the killing there was disagreement on whether Poole was to have beaten, whipped or killed.

Attorney General Crowley declared that "death by shooing is as closely connected with the kidnapping as if the death had occurred by flogging." After argument by Bernard W. Cruse and other defense counsel, Judge Liddy pointed out that the purpose of an examination was soley to determine if there was probable cause to believe that the defendant had committed a crime and continued:

'The testimony shows these men belong to an order; that they had a meeting in which certain suggestions were made, and that some of these men agreed with those suggestions; also that some of these men agreed before the meeting as to what should be done to Charles Poole, and that two of those carried guns.

"This was not a crime committed in the heat of passion. It has all the elements of a planned crime, clearly premeditated by at least some of these men. There may be some question as to whether some of them planned it, but I am convinced that is a question to be disposed of at the trial and not here.

"Very Sinister Spectacle"

"This is a very sinister spectacle of an organized group attempting to usurp the function of government to punish men for what the group believes to be an offense.

"It strikes me that with all the law enforcement agencies of the State combined in the prosecution of this case, that the defendants will have a speedy trial. I therefore hold the defendants for trial in Circuit Court on both charges of kidnapping and murder, without bail."

Dean, who had voluntarily taken the stand and told an eye-witness story of the murder, was hurried out ahead of the others. He will have a cell separated from them.

The six men who were brought before Judge Charles Rubiner in preliminary court proceedings in the Penland flogging case were Robinson, Frederick A. Gulley, Earl Angstadt, Harold Lawrence, Charles King and Thomas F. Cox.

Gulley, Angstadt, Lawrence and King were residents of Ecorse, Robinson and Cox of Detroit. Penland, Angstadt and Lawrence are employed in the Michigan Steel works of the Great Lakes Steel Corporation. Gulley is employed by the village of Ecorse. King is the proprietor of a service station.

Clyde L. Fulton, lawyer retained by Arthur Lupp, "brigadier general" and former $35-a-week health inspector, appeared for all but Gulley, who had no counsel.

Penland said he knew all six of the men and identified Gulley as the one who lured him into a car in which he was taken out to the "court martial."

"Why," Mr. Fulton asked, "did you make this complaint?"

"Mr. O'Brien (Gerald K. O'Brien, assistant prosecutor) can tell you more about that than I can," Penland replied.

"Didn't you want to make a complaint?"

"No, I didn't," Penland said, slowly, "but Cox, Angstadt and Gulley had already identified me as their victim, so what else could I do?"

Detective Robert McWhiter presented confessions that Penland was tied to a tree and lashed on orders from Robinson, who had said he was the "one man judge and jury in this case."

Woman Beaten By Black Legion

Witness Against Hooded Mob Found Brutally Flogged In Apartment

DETROIT, June 17—(AP)—A woman who went in terror to the police and disclosed the hiding place of the press the Black Legion used to produce its inflammatory literature was found bound, gagged, and brutally beaten in her apartment today.

The attack, described by assistant prosecutor as "undoubtedly the work of a Black Legion avenger," occurred a half hour after 15 men had been ordered held for trial on charges of conspiring to murder political enemies of the terrorist organization.

The victim, Mrs. Dorothy Guthrie, was taken to receiving hospital where X-ray photographs showed no broken bones. Mrs. Guthrie regained consciousness there and told Assistant Prosecutor William E. Dowling that she was seized by a man she did not see as she stepped into her apartment at noon.

A neighbor heard Mrs. Guthrie's moans about 3 o'clock and summoned police, who found her unconscious, her hands tied behind her back and a black cloth which detectives said looked as if it had been torn from a Black Legion robe, stuffed in her mouth.

Her husband, William H. Guthrie, was detained shortly afterwards when he called at a school for their daughter, Shirley, 9. He said he knew nothing of the attack.

The Guthries were held briefly two weeks ago after Mrs. Guthrie informed investigators that their home had been used for three years as a Black Legion meeting place, and that her husband had printed literature for the night riders, including their bombastic ritual and their propouncements against "communists, negroes, Jews and Catholics," in the basement.

Mrs. Guthrie said then that both she and her husband were members of the masked band, and that she had lived in terror since she had been compelled at pistol point months before to take the membership oath.

Police searching the house from which the Guthries fled the night after Charles A. Poole's body was found in a roadside ditch May 13, confiscated the press and a quantity of the literature.

Mrs. Guthrie said she was forced to join the Black Legion auxiliary at the home of Mrs. Arthur F. Lupp, Sr., whose husband, the admitted state commander of the hooded order, was ordered held today under $50,000 bond on charges of conspiring to slay Arthur F. Kingsley, editor of a newspaper in nearby Highland Park. Mrs. Lupp is a "colonel" in the auxiliary.

Klu Klux Klan-1936

Michigan

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By WILL LISSNER

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With the facts gathered by Prosecutors Duncan C. McCrea of Wayne County, including Detroit, and Owen Dudley of Jackson County, and their staffs, by State Attorney General David H. Crowley and his aides, by such judges as Ernest J. Rogers in Jackson and Ralph W. Liddy in Detroit in their grand jury and preliminary court proceedings, a fairly complete picture of the order's strength appears on official record.

Officials believe that their original estimate of 40,000 members in the State, made at a time when a membership of only 3,000 was known, will probably prove to be not far from the accurate total when judicial and police inquiries are completed some months from now. But this number includes many who were coerced or inveigled into membership.

Spread of the Order

The known membership has more than doubled. Not all "regiments" in the organization set-up have been accounted for, and only for Michigan is there enough information to determine the localities in which the cult gained serious proportions. But from the wealth of statements, documents and confessions, it can be said that this was not an affair that is the sole concern of Michigan.

Meetings in Ohio attended by Michigan night riders showed the membership there to be compact, better disciplined and more firmly established, with known gatherings attracting hundreds of members. Whether the total membership there compares with that in Michigan cannot be estimated. As in Indiana, there have been few inquiries.

Complaints of mob disorder bearing marks of Black Legion inspiration continue to pour in upon Prosecutor McCrea from more than a third of the States. Yet there are no facts available upon which one might reach a conclusion that the Black Legion had spread beyond the inland industrial States. However, the facts show the situation to be even more serious.

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What was bringing these organizations together? Political ambitions had been aroused by an easy ride to power in at least one city of average population, Pontiac. As Effinger told Ray Ernest, a "brigade commander" in Michigan a few months ago, "you can't go on with only night meetings forever; you've got to go into politics." Thereupon Effinger, now believed to be only a spokesman for minds more politically astute, delivered plans for capturing the Jackson County Republican Convention, according to Ernest.

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The Ku Klux Klan contributed some of the leaders. The Black Legion has not been able to recruit everywhere. It has gained significant size chiefly only where the Klan formerly had been strong. Also, the Klan contributed experience in the ways by which a secret society can rise to State-wide power. With social conditions more favorable, the prospect of national power was a lure which the leaders believed would maintain the growth in the membership rolls.

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The grand jury inquiry has established that in Jackson County the Detroit police. Inspector John S. Hoffman has been investigating several score of members of the Detroit force are members of the Black Legion and has 500 names of subscribing citizens found in files at headquarters of the organization. Ray Markland, investigator for Inspector John S. Hoffman, has been checking charges that several hundred robed night riders. He insisted the rule violation claim was dismissed and was corroborated by Angstadt and Cox. Gulley confessed, the prosecutor said, that Penlan was tied to a tree and lashed.

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ment was made before the Highland Park Police and Fire Commission, at a session called to determine how many city employes there had affiliated themselves with the hooded order.

Markland Denies Charges

Besides the investigator, a county court clerk, a City Commissioner and a Police and Fire Commissioner attended the meeting. The witness, a city truck driver, who has admitted membership, testified. Three other city employes, one of Fire Department captain, admitted membership and were called before the hearing. Mr. Markland denied attending and said he was in the hospital on the date given.

The County Court Clerk named was Clyde Markland, aide to Judge James E. Chenot, before whom the Wayne County grand jury inquiry is being conducted by State Attorney General David H. Crowley. Clyde Markland, a brother of Ray, also denied the charges, but announced his resignation immediately, declaring he did not wish to embarrass Judge Chenot.

Mr. McCrea made public an exchange of telegrams between Representative John D. Dingell and himself. Mr. Dingell, asking that he submit to the Federal authorities evidence of violation of Federal laws, told him he believed indications of a kidnapping law violation would be "the way which will permit the G-men to come in." Mr. McCrea replied that it seemed to him the Federal Treason Law had been violated.

CANADA IS ASKED TO AID IN PROBE OF BLACK LEGION

Crowley Prepares for 2 Investigations of Mysterious Ramifications of Terrorists' Society.

DETROIT, May 31.—(AP)—Michigan's attorney general, David H. Crowley, asked Canadian authorities today to investigate the hanging of a Wyandotte, Mich., steel worker May 14 on Fighting Island, in the Detroit river, for possible connection with the Black Legion.

The body of Roy Piedpock, 32, was found suspended from a rafter in a workmen's shanty on the island, which is in Canadian waters. No boat was moored to the island and authorities expressed doubt at the time that Piedpock could have swum from the American shore to the island. The body was clad only in underwear.

Although Wyandotte police expressed the belief that Piedpock committed suicide, other Michigan authorities cited evidence that the Black Legion had been active in Detroit's down-river suburbs, and requested further investigation, thus injecting an international angle into the inquiry.

Foreigners Opposed.

One of the tenets of the hooded night riders was opposition to the employment of foreign labor, including Canadians, but Piedpock was an American, with no apparent Canadian connections. Wyandotte police said he was reported missing May 10 and gave evasive replies when he returned May 12. He disappeared again May 13 and his body was found the following day.

The new death was added to a list of a dozen already under investigation as Attorney General Crowley disclosed reports that the Black Legion had penetrated into Wayne county (Detroit) police.

Crowley will co-operate with Prosecutor Duncan C. McCrea in an examination of 13 men before Common Pleas Judge Ralph W. Liddy Tuesday on charges of murder and kidnaping in the death of Charles A. Poole.

To Confer Today.

He planned to confer Monday with Circuit Judge James E. Chenot, who has been named to conduct a one-man grand jury investigation into the Black Legion's activities. This inquiry probably will open Wednesday or Thursday.

A Wayne county republican leader reported to have tossed a bullet from one hand to the other during conferences at the recent republican state convention here, Crowley said, will be subpoenaed to testify before Chenot. Playing "catch" with a bullet has been described as a sort of Black Legion "passport."

Two judges also will be subpoenaed, Crowley announced, saying he was informed one walked out of a Black Legion meeting after hearing the oath required of candidates, while the other remained.

Charges Planned.

Charges of kidnaping and assault with a deadly weapon may be preferred against all leaders identified as connected with Black Legion meetings, Crowley said. These would be based on the reported practice of forcing persons to join the Legion against their will, and of pointing pistols at them during the initiation.

The 13 men facing examination Tuesday all were members of the Wolverine Republican League, in whose rented hall the Black Legion held a meeting from which Poole, a WPA worker, was taken out and shot to death. Some of those held said he was killed because he "knew too much."

John Doe murder warrants were placed against two other League members Saturday after Inspector John I. Navarre, of the Detroit homicide squad, announced Albert Stevens, 52-year-old city park watchman, and Virgil Morrow, 29, admitted attending the meeting. Both denied, however, that decision to kill Poole was reached at the session, and both said they started to the spot where Poole was to be taken but became separated from other members and never reached the slaying scene.

Accusation Denied.

Dayton Dean, chunky "executioner" of the Legion, who has admitted he shot Poole, denied through his attorney, Bernard W. Cruse, the statement of an assistant prosecutor that Dean purchased the gun used in the Poole killing from Arthur F. Lupp Sr., suspended Detroit milk inspector, and admitted Black Legion recruiting officer.

Cruse also said Lupp had denied this charge. Officers have sought Lupp for questioning to determine if state laws were complied with in the event of such a gun transaction.

The killing of Poole, whose body was found in a roadside ditch near Dearborn, started the investigation by Navarre which led to revelation of the terroristic activities of the Black Legion.

Day's Developments.

Other developments today included: Police investigators took stenographic statements from seven patrolmen whose names were found on papers seized in raids on homes of Black Legion leaders.

Attorney General Crowley announced he planned to talk to Prosecutor Owen Dudley, of Jackson county, Michigan, regarding a grand jury inquiry there, and said he will assign a man to Flint, Mich., to co-operate in another investigation.

Inspector John A. Hoffman, of the special investigation squad, said he had received the names of 500 persons suspected of implication in Legion affairs, but added that only about 150 of them probably were actual members.

M'CREA SUSPENDS AIDE ON CULT LINK

Former Highland Park Mayor Was Helping Investigate Ecorse Flogging Case.

THREE MORE ARRAIGNED

Robinson Among Prisoners—Cardinal Dougherty, in Rome, Condemns the Black Band.

By WILL LISSNER

Special to THE NEW YORK TIMES.

DETROIT, June 6.—Duncan C. McCrea, Wayne County Prosecutor, who has taken a leading part in the exposure of the Black Legion, suspended a member of his staff today on evidence that he was a member of the secret society.

The accused man is N. Ray Markland, former Mayor of Highland Park, Detroit suburb, prosecutor's investigator. In the last few days he had been assigned to investigate the kidnapping and flogging of Robert Penland of Ecorse for failing to attend Black Legion meetings.

Markland denied membership in the hooded order. His accusers contended, however, that he was high in its councils when he was Mayor and when he was running for re-election. With a Police and Fire Commissioner and a City Commissioner of the suburb he wore a robe and hood during an initiation ceremony there in 1933, a Public Works Commission employe told Police Chief Dan E. L. Patch. Chief Patch has been conducting an investigation of the membership among Highland Park city officials and employes.

Markland's brother, Clyde, was a clerk to Judge James E. Chenot, before whom the State is conducting its grand jury inquiry in Wayne County. Clyde Markland, also named as having taken part in Black Legion activities in Highland Park, resigned two days ago at the request of the judge. He also denied being a member.

Statement by McCrea

Mr. McCrea, in announcing the suspension, said:

"When Markland's name was mentioned I called him in and asked him about it. He said the charge was unfounded. I told him I would have Harry Colburn, chief investigator, make an investigation and that he could expect suspension if any evidence were found supporting the charge."

Markland was suspended without pay. The investigation of his activities has not been completed.

Three more men were arraigned today on a kidnapping warrant in the Penlan case after two of them had been identified by the Ecorse steelworker by their voices. The new prisoners, Charles King, Harold Lawrence and Wilbur Robinson, were held for examination Monday. Bail was fixed at $50,000 each on two sureties, the equivalent of $100,000 bond. Their arrests followed confessions by three men previously taken into custody.

King is the proprietor of an Ecorse auto repair shop which was raided early in the investigation. The raiders found, in addition to a quantity of Black Legion literature attacking Negroes, Catholics and Jews, an arsenal which included a high-powered rifle. Wilbur Robinson, admittedly a "brigadier general," was an employe of the municipally owned Detroit Street Railways until his leadership in the Black Legion was disclosed.

Nine arrests as "John Does" on the kidnapping warrant were still being sought by Prosecutor McCrea. Two other men are being questioned as suspects, but may be held only as material witnesses.

Charge Political Frame-Up

King and Lawrence assert they are being "framed" by political enemies. They have been active against the administration of William Voisine, Village President, who blames the bombing of his house on the Black Legion.

Police Chief William P. Rutledge of Wyandotte, who, with Captain Ira H. Marmon of the State police, has been investigating the case of Roy V. Pidcock, found hanged on a Canadian island, revealed today evidence which has led him to abandon the belief that Pidcock ended his own life.

Pidcock's wife disclosed that on May 11, two days before he disappeared, the steel mill employe came home with his back covered with welts and his clothing soiled. He told her that he had been struck by a chain at the mill, but the investigation disclosed that he had not gone to work for two weeks before his death because he was afraid he would suffer injury at the hands of some fellow-employes.

Mrs. Pidcock told the police her husband appeared to have been flogged badly, but would not discuss his troubles with her. He had been away from home from May 9 to May 11, and it was on May 13, the day the body of Charles A. Poole, victim of a Black Legion lynch party, was found, that he disappeared again.

Two men who went to Pidcock's home looking for him a few days before his death are being sought, the police said. Pidcock was away at the time and had left word with his wife to tell them to wait. On his return he told his wife to leave the room and talked with the men for an hour alone.

Death Before Hanging Surmised.

Charcoal dust on the floor of the shack showed the marks of many footprints, but there was none on Pidcock's bare feet. Captain Marmon believes Pidcock was dead from a blow before the body was taken to the scene of the hanging. Nothing was found from which the man could have jumped to suspend himself high off the floor. No boat was found and there is a mile and a half of water between the island and the American shore of the Detroit River.

Klu Klux Klan–1936

Michigan

WASHINGTON WEEKLY

BY PAUL W. WARD

Who's Behind the Black Legion?

Washington, May 31

THE constant trumpeting of the New Deal's campaign slogan, Roosevelt or Reaction, with its nuances of fascism as the price of a Republican victory in November, has produced a fortuitous and unforeseen result. It has given the Black Legion obscenities at Detroit a place in the forefront of the national consciousness which they deserve but otherwise would not have enjoyed. Even here in the nation's capital the latest outbreak of kluxery has overshadowed all other questions in those anterooms and subcellars where politicians let down their hair and the truth is spoken.

I predict, however, that it will not long continue as a conversational dominant either here or elsewhere. From this distance it looks distinctly as if the Black Legion were about to be treated to a coat of whitewash, lavishly applied by the bourbons who rule Detroit and the rest of Michigan. It would not suit the purposes of the state's industrial barons to have the public shown the extent to which their agents were involved in the Black Legion's formation and the extent to which they have used it in their fight against unionization of their employees. It would not do to have it disclosed that the Michigan judges, prosecutors, militiamen, cops, mayors, and councilmen who are their bondservants also were platoon commanders of the Black Legion, that their own secret police were its color-bearers and file-closers, and that they used its bloody oath chiefly to bind to themselves in servility the hill-billy labor they have recruited from the South as their best surety against finding themselves faced with workers able and determined to demand their rights.

If I seem to impute unearthly alliances to the overlords of Michigan, remember that they were shown to have the same sort of alliances when the records of the Ku Klux Klan in that state were pried open ten years ago. Remember, too, that the biggest of them is General Motors, that General Motors is du Pont, and that the du Ponts were among the financial backers of the grass-roots convention run a few months ago by Gene Talmadge, the Georgia Hitler. Then note that already the dispatches coming out of Detroit are minimizing the earlier reports as to the size and importance of the Black Legion and are picturing the organization as smashed by the disclosures; they suggest that with the legionnaires in flight further investigation will be unnecessary and that all that remains to be done is to prosecute some sixteen men for the murder of a WPA worker. Note also that the loudest singer of that tune is McCrea, the Wayne County prosecutor, who confessedly was a member of the Black Legion along with his chief investigator and at least one other member of his staff.

Next I call your attention to the fact that the man who is most active in investigating the Black Legion *per se* is the state's attorney general, Crowley, a corporation lawyer serving under Governor Fitzgerald, who holds his post by the sufferance of the employers' association and who has appointed as chairman of the state's Social Security Board one Dr. Philip A. Callahan, who was the Klan's grand cyclops in Michigan. And what sort of investigation have Crowley's efforts given rise to at Detroit? One of Michigan's unique one-man grand-jury investigations in which a single judge hears and weighs the evidence, unaided by a jury. The act which makes this sort of proceeding possible was put over by the employers' association a number of years ago as an "economy" measure. It has served their purpose admirably, as, for example, in the case of the one-man grand-jury investigation of the Detroit bank failures in 1933. The chief purpose of that investigation was to let the responsible bankers blame their ills on Washington without undergoing cross-examination or the peril of rebuttal; to assure them a wide audience the "grand-jury" investigation in this instance was public instead of secret. More than thirty of those bankers have since been indicted by a federal grand jury, and three have been convicted. The one-man grand jury returned no indictments against the bankers.

And who is to be the one-man grand jury in the Black Legion case? The Wayne County circuit judges have got together and picked one of their colleagues, Judge James A. Chenot. A Republican, he was known as Ford's candidate when he ran for office. Before mounting the bench Chenot was county prosecutor. It was while he held that office that six men were slain in a march on the Ford plant. Chenot investigated. No indictments were returned. Chenot at that time worked hand in glove with Harry Bennett, chief of Ford's secret police. Their intimacy, according to reports, has not been impaired by his assumption of judicial robes. There is little likelihood that Judge Chenot will find an inquiry into the Black Legion's industrial ramifications relevant to his task. There is even less likelihood that the Justice Department, to which McCrea has appealed, will respond in bona fide fashion, for the Black Legion affair raises racial and religious issues and those are leprous to politicians in an election year.

Caliban in America

PAUL WARD'S article elsewhere in this issue on the forces behind the Black Legion gives rise to some extremely disturbing reflections. If it is true that this monstrous organization is not just a grim excrescence on American life but something that has been built into the structure of American business and politics, the Black Legion is worth serious analysis.

"Remember that our purpose is to tear down, lay waste, despoil, and kill our enemies." These are the words read by the "Chaplain" of the Black Legion to those about to be initiated into the order. Standing "under the black arch of Heaven's avenging symbol," encircled by grim, black-hooded figures, staring half-hypnotized at the guns pointed at them, the neophytes are inducted with the Black Oath, by which they swear "in the name of God and the Devil . . . to devote my life to the obedience of my superiors . . . and to exert every means in my power for the extermination of the anarchist, communist, Roman hierarchy, and their abettors." Each prospective member must swear he is a native-born, white, Protestant, Gentile, American citizen; he must state his attitude on lynch law; he must agree to arm himself immediately and to take arms, when called upon, against his "enemies." He must do all in his power to place only white Protestants in office; he must forget party and vote only according to the orders of his superior officer; he must accept the punishment of death for failure to keep his oath. When he has promised to do all this he is ready to sign in his own blood his willingness, if required, "to perform some service on a higher plane than ordinary routine night riding." What this "service" is, a body found lying in a ditch next day could testify.

Fire, flogging, and death are the methods favored by the legionnaires in their program of terrorism, although they have not neglected the subtler but none the less powerful weapon of propaganda. Police raids on their headquarters have uncovered leaflets for distribution replete with horror tales about Negroes attacking white children in the schools and advocating segregation of the races. But in general their preference is for the brutal rather than the subtle, for the direct attack rather than the indirect. There is reason to suspect that the burning of Father Coughlin's shrine at Royal Oak may have been their doing, and their fierce anti-radicalism has led the police to reinvestigate the shooting of one automobile-union organizer in 1933 and the murder of another in 1934.

Just how large the membership of the legion is may never be determined. The claim of six million members

seems nearer to wish fulfilment than to fact. But the activities of the legion, although concentrated in Michigan, Indiana, and Ohio, extend to a dozen or more other states, with repercussions as far east as Boston and New York. The Department of Justice, however, has so far declined to cooperate in the investigation because no evidence has yet been found of violation of a federal statute. To proceed against the individuals involved in the "execution" of Poole on a direct murder charge leaves untouched the structure of the organization as a whole. The federal kidnaping law cannot be invoked unless victims are transported across state lines. Prosecution on the ground of illegally carrying firearms is prohibitive in this case as it would involve apprehending each of the legion members in the actual possession of a gun. And though there is a law in Michigan against wearing masks in public, it makes this no more than a misdemeanor. There is, however, one statute under which a statewide indictment could be issued that might effectively shatter the legion as far as Michigan is concerned. It is the Michigan criminal-syndicalism law. There is the spice of poetic justice in the fact that the Black Legion may be demolished under the very law which their kind put on the statute books to confound their enemies.

What is the meaning of the Black Legion? To dismiss it as a local and passing matter would be fantastic; to call it American fascism would be too easy. Race hatred, religious bigotry, sadism, red-baiting, union-smashing, the vigilante technique—whenever these are found together in a pattern they point to a festering condition in the social organism. We cannot be so naive as to think that seven years of depression could have failed to take toll of us. We live in a world where the individual is at the mercy of the blind forces of the market-place. Formerly when he thought himself ruled solely by nature's forces and changes, he could fashion religions and mythologies to appeal to the natural forces, and science to control them. Today the individual sees himself as even more helpless in a man-made industrial world, in which nature has been conquered but depressions still come unpredictably, where jobs are suddenly lost and life-long savings are wiped out overnight, where the small man is stunted by all sorts of privations. And, still seeking some specific explanation for his defeat and some personal devils to wreak his wrath upon, he resorts to the mumbo-jumbo of secret societies and the releasing effects of violence and terrorism.

He is not necessarily a monster. Look at the newspapers or newsreels and see the faces of those indicted for the murder of Poole. They are the ordinary run of Americans. Under other conditions they might have been honest farmers, or young leaders of the rank-and-file workers. But under the impact of all the corroding forces of the depression, their energy has been turned to a deadly destructiveness. It is easy to put such men as these to the uses of the unscrupulous holders of economic power, who see in the trade-union movement and in minority groups a threat to their dominance. A desire to wreak cruelty and terror always goes hand in hand with a slavish obedience to authority. The very men whose animal lusts are turned against their fellows get a sense of security from taking an undying oath to perform all the commands of some leader. In their despair they follow the first leaders that appeal to them. In their ignorance they make bigotry and race hatred and anti-radicalism seem the solution for their own dilemmas. In their blindness they fall a prey to the purposes of the very men who exploit them economically.

This is the Black Legion—a reincarnated Caliban. It sprawls across the American scene, twisted, spiteful, stupid, and malevolent. And yet there is much in it to pity, and much to understand. We must fight all Black Legions wherever they appear, and disband them by law. But we shall not be rid of them until we have rid America of insecurity and despair.

More Arrested And Other Deaths Probed In Drive On Black Legion

DETROIT, June 1—(AP)—The list of men charged with the black legion "execution" of Charles A. Poole rose to 15 today with the arraignments on murder and kidnap charges of Virgil Morrow and Albert Stevens.

The two stood mute, pleas of innocent were entered for them, and they were held without bond for examination Tuesday with 13 others whose arrest ten days ago disclosed the existence of the black masked terrorist society.

McCrea charged that Morrow and Stevens attended a meeting at which the abduction of the 32-year-old PWA worker who "knew too much" was arranged, but that they did not reach the "straightening out party" because their car became separated from the others bound for the scene.

As the warrants were being issued McCrea announced he had telegraphed Senator Benson (FL.,) Minnesota, that "I agree there should be a national investigation."

McCrea's wire was in response to a message from Senator Benson, who has introduced a joint resolution for a congressional investigation of the black legion, asserting he believed "it time he found out who are the real enemies of our democratic American institutions."

McCrea renewed his questioning of Arthur F. Lupp, Sr., black legion recruiting officer today as Michigan State police said they had information they believed reliable linking two more deaths with the night riders' band.

Lupp denied an assertion attributed by McCrea to Dayton Dean, confessed black legion "executioner," that he had sold Dean the revolver used in the Poole slaying. Lupp also said the black legion would take no part in the defense of the men charged with the crime.

Black Legion Slaying Described In Detroit Court By Executioner

DETROIT, June 3—(AP)—The confessed executioner of Charles A. Poole testified here today that "in the Black Legion you must shoot anyone you are ordered to shoot," while Attorney General Homer S. Cummings announced in Washington he had no evidence of Federal law violations by the hooded night riders.

Calmly disregarding the shouted objections of his own attorney and the hostile mutterings of his 12 fellow defendants on murder and kidnaping charges, Dayton Dean testified that he shot Poole, 32-year-old WPA worker, because it was expected of him. He said "Colonel" Harvey Davis, another defendant, "got the thing up" because of gossip that Poole had mistreated his wife.

In Washington, the United States attorney general disclosed that he had known of the Black Legion for "about a year," but that he had found no evidence that Federal laws were being violated by the order "either then or now."

He parried a question as to whether the Federal Government would enter the investigation if it were shown that a man had been taken from Detroit to a Canadian island and hanged.

The reference was to the apparent suicide of Roy Pidcock, 32-year-old Wyandotte, Mich., steel worker, who was found hanged on uninhabited Fighting Island in the Detroit River May 14, the day after Poole's bullet-pierced body was found at a roadside.

Capt. Ira H. Marmon, of the Michigan State police, who said he would request the exhumation of Pidcock's body on suspicion he was slain, disclosed today he had information that the steel worker was a member of the Black Legion and that he was beaten a few weeks before his death.

Atty. Gen. Cummings said he had received no request from Canadian authorities for an investigation.

Dean was the least disturbed of the many persons in Common Pleas Court as he related the story, already told in detail in confessions from several of those under arrest, of arrangements for Poole's "punishment," and its final execution.

Of the actual slaying Dean said that he pumped eight bullets into Poole's body from a distance of 10 feet, using two revolvers while members of his party looked on. He fired so many shots, he said, "just from nervousness."

It was the first eye witness story of the slaying that led to disclosure of the existence of the black hooded terrorist band with its widespread ramifications.

Klu Klux Klan—1936

Michigan

Army Reserve Officers Involved in Attempt To Spread Terror Bands

Daily Worker 6-3-36

New York, N.Y.

White Guard Implicated in Poole Murder—Meeting Friday

WASHINGTON, D. C. — The Black Legion planned a country-wide fascist uprising to establish a "dictatorship," Congressman Dickstein charged on the floor of the House today.

WASHINGTON, D. C.—Farmer-Labor Senator Benson (Minnesota) wired Detroit prosecutor requesting evidence against Legionnaires for resolution on Congressional action.

DETROIT, Mich.—A trial opening today, Russian "white-guard" implicated.

DETROIT, Mich. — Conference for Protection of Civil Rights, backed by masses, calls huge rally Friday night, to plan "people's war" against hooded night-riders.

WASHINGTON, June 2 (UP).—Charges that the Black Legion planned an armed uprising and has become a menace that requires swift action were made on the House floor today by Chairman Samuel Dickstein, D., N. Y., of the House Immigration Committee.

Dickstein, pleading for approval of his resolution for a $100,000 Congressional Investigation into subversive activities of the Black Legion and other organizations, said that members of the Michigan National Guard and the United States Army Reserve are officers in the movement.

"The Blackshirts are a real menace," Dickstein said. "They started out as racketeers and deviated into a political machine."

Spread to Many States

Dickstein warned that the Department of Justice cannot "take care" of the movement, which, he said, had spread to 11 states. "Certain fine people in Michigan and a judge are involved," he said.

He said there is a "tie-up" between the Black Legion, the Silver Shirts and the Ku Klux Klan.

Rep. Thomas L. Blanton, D., Tex., demanded to know why Dickstein had not placed the matter before the Attorney General and Army authorities.

Rep. George G. Sadowski, D., Mich., explained that this had been done but that the Attorney General "did not see how he could intervene" since it was a state matter.

Dickstein said he had found a letter dated Oct. 24, 1933, addressed to the Silver Rangers organization in Oklahoma, written by officers in the Army Reserves to their "henchmen."

"Think of it," said Dickstein, "high ranking officers of the Reserves part and parcel with these 110 per cent super-patriots."

White Guard Incites Murder

DETROIT, Mich, June 2. — A Russian white guard made a provocative speech "against Communism" before the assembled Black Legionnaires on the night of May 12, where plans were made for the murder of Charles Poole that very night, a crowded courtroom here heard today at the opening of the trial of the hooded night marauders.

This disclosure came unexpectedly as the examination of thirteen Legionnaires, charged with murder and kidnapping began. Questioning "Killer" Dean, chief executioner of the robed band, District Attorney Duncan C. McCrea drew the tale out of the defendant:

"Right before we took Poole out to the country road, a white Russian spoke to us against Communism," Dean informed McCrea from the stand.

"What do you mean by a 'white Russian'," the district attorney queried.

"A man who'd lived in Russia but didn't believe in Communism," the killer replied.

Significantly, McCrea did not ask the defendant the name of the "white Russian" and dropped the matter at that point. No warrant has thus far been issued for the arrest of the unidentified provocateur.

Testifies on Slaying

Charles A. Poole, 32-year-old victim of the hooded and robed Black Legion, was shot down as he started to protest his innocence of "wife beating" charges and never had a chance to defend himself, a detective testified today at the examination of 14 men charged with the slaying.

Detective Jack Harvill who "cracked" the case against Detroit's vigilante night riders, recounted to a crowded courtroom how Poole was taken on a one-way ride the night of May 12 and shot down by two Legionnaires as he stood facing seven members along a West Side road.

His testimony was based, he said, on the alleged confession of Dayton Dean, "trigger man" of the Legion, who fired two revolvers at Poole while the victim stood a foot or two away. Dean's story implicated "Colonel" Harvey Davis, head of the Detroit Legion, as the instigator of the slaying.

Benson Seeks Evidence

DETROIT, Mich., June 2.—United States Senator Elmer Benson, Farmer-Labor Party of Minnesota, yesterday telegraphed Duncan C. McCrea, District Attorney of Wayne County, in charge of the investigation of the criminal Black Legion, asking for evidence to support a joint Congressional resolution for a federal investigation of the "Black Legion and similar other un-American terrorist groups throughout the United States."

The Farmer-Labor Senator's telegram stated that, "I believe it time we found who are the real enemies of our democratic American institutions."

The fury of an aroused nation against the recently revealed budding fascist movement was evident by Duncans reply, when he declared, " . . . there should be a national investigation. I am receiving letters from a great number of States with reference to possible crime."

The Wayne County prosecutor did not, however, state whether or not he intended supplying Senator Benson with the requested evidence.

Meeting Friday

The Conference for Protection of Civil Rights which embraces 311 labor, liberal, fraternal and church organizations, today issued a strong appeal for full representation of all organizations in the emergency conference Friday night at Electrical Workers Hall, 55 Adelaide Street, where plans will be announced for a people's campaign against the Black Legion menace. Every organization was invited to send delegates.

Emergency steps became especially necessary the conference pointed out in a statement in view of the fact that the very people who have given "tacit encouragement to these fascist bands" are the ones who will conduct the investigation. **The one-man grand jury, to begin deliberations Thursday will be strictly secret, Judge Chenot said.**

"It is difficult to bring all the facts concerning the Black Legion into the open," the conference statement declared. "This is because city, county and state officials are shown to be linked with the Black Legion."

As evidence pointed more definitely to the anti-labor character of the Black Legion and to its link with the Hearst-Republican elements of this state, the Hearst-owned Detroit Times and the police department became mainly interested in finding a way to distract the drive against the Legion to an attack against Communists.

Inspector John A. Navarre issued a statement that he has information that Bielak was a Communist, left the Communist Party and that "there isn't any doubt that Communists murdered him." This, William Weinstone, District Secretary of the Communist Party, declared, is a scurrilous slander aiming to cover up the crimes of the Legion. Bielak was not a member of the Communist Party, though the Communist Party and the former Auto Workers Union demanded that his murder be investigated.

Protect Killers

The Detroit Times continued with its policy of picturing the jailed murderers in a favorable light and raising doubt about even the guilt of Dayton Dean, confessed "trigger man." In an interview in the Times yesterday, Dean is quoted as even denying that he shot the six bullets into Poole while the others looked on. The Times again reported having learned from Arthur Lupp, missing commander of the Black Legion, "that he did not sell the revolver to Dean" as charged. The Times refused to disclose the whereabouts of Lupp, who is sought by the police.

The need for an immediate Congressional investigation, and that a citizens' committee be allowed to sit in on the grand jury became a serious matter today, as it developed further that the Republicans and Democrats were jockeying for control of the investigation—the Republicans to cover up their link with the Black Legion, and the Democrats for a chance to use it as a whip to recover their shattered influence in the state.

It was also clear however that both political parties fear to arrest any of the higher-ups in the Legion or those linked with it, as there is no telling which politicians will be drawn in next. The main strategy of the Times and Free Press, the two most reactionary papers here, was for driving Prosecutor McCrea from the case. Though McCrea is a reactionary Democrat, and it appears has at one time himself applied for membership in the Legion, he now apparently finds a crusade against the Legion a good means to win popular support for the coming election. For that reason, as was announced, Attorney General Crowley will conduct examination of witnesses.

Two more were arrested last night in connection with the Poole murder. They are Louis Womack and Michael Layton. Both are friends of Dayton Dean, the killer, and are employed at the Public Lighting Commission plant where they were arrested.

MORRISON, Ill., June 2 (UP).—Three men were sought today for the kidnaping of Rees Spellman, young tenant farmer, and the burning of his home. Police declined to discuss possible connection with the "Black Legion," terrorist organization.

The Black Legion

In the early Nineteen Twenties the nation was afflicted by the Ku Klux Klan, an organization which was anti-Catholic, anti-Jew, anti-alien and *pro* a peculiar sort of 100 per cent Americanism. At one time the Klan's political power was prodigious, but by the middle of the decade it was a dying organization, victim of ridicule and of its own unsavory reputation.

When the Klan was at the height its national executive offices were housed in a large ante-bellum mansion on Peachtree Road in Atlanta. A few miles away was a factory in which

The Peachtree Road mansion, which has been turned into an apartment house, is now in other hands; a comfortable daily; the organization also owns a plant in which the official newspaper and magazine were printed; but the Southeastern headquarters of it was negotiating for a large down-town office building to use as national headquarters.

As a national menace the Klan is dead, but the ignorance and bigotry on which it was founded are not dead. That became apparent last week as

tional Klan officers still in Atlanta keep their membership figures to themselves, but persons once prominent in the organization say that it has dwindled to one-thousandth its former size.

evidence piled up about the workings of a new and similar organization, the Black Legion.

Found in a Ditch

Detroit police were the first to learn of the Black Legion. May 13 the body of a man, shot several times, was found face down in a ditch near the suburb of Dearborn. Fingerprints identified him as Charles A. Poole, 32, a WPA worker. Police questioned his friends, finally establishing evidence that he had been killed by a band of terrorists who had acted on reports (subsequently shown to have been untrue) that he had beaten his pregnant wife.

Eventually thirteen men were arrested, charged with kidnapping and murder. Duncan C. McCrea, Prosecuting Attorney, said he had evidence indicating that the Black Legion had operated in at least fifteen States. In Jackson, Mich., at the home of a State prison guard, who was held in connection with the fatal flogging of one of his fellow-guards (allegedly by the Black Legion), the police found literature setting forth the aims and practices of the organization. Excerpt from the oath administered to neophytes:

In the name of God and the Devil, one to reward and the other to punish, I pledge that I will exert every possible means in my power for the extermination of the anarchist, Communist, the Roman hierarchy and their abettors.

The authorities identified Vergil F. Effinger of Lima, Ohio (several times unsuccessful candidate for Sheriff), as an official of the Black Legion. Effinger told reporters the organization had 6,000,000 members throughout the country. Officials thought the figure sounded high.

An appeal was made to the G-men to take a hand in the investigation; their cooperation was offered if evidence could be found that any Federal law had been violated.

SEEK WIDER INQUIRY INTO BLACK LEGION

Other Michigan Counties Press for the Setting Up of One-Man Grand Juries.

CLASH OVER PROSECUTION

McCrea Defies Crowley and the Latter Says He Is Ready to Act Directly in Poole Case.

By WILL LISSNER

Special to THE NEW YORK TIMES.

DETROIT, June 1.—With three grand jury investigations under way or about to start, and three other counties demonding similar inquiries, Michigan pressed today against the Black Legion, hooded secret order, the judicial porcesses its members flouted under their oath to the organization.

Preliminary to the Wayne County grand jury sitting, David H. Crowley, State Attorney General, and Chester P. O'Hara, Assistant Attorney General, conferred today with Judge James E. Chenot, designated by the circuit bench to sit as grand juror. The investigation will start Thursday morning.

Whether the inquiry here has power to seek findings of fact regarding the activities of the Black Legion throughout the State was still in doubt. It was believed that the statutes might not permit this and further conferences will be held on the question.

The Attorney General said he would bring in witnesses from all over the State to testify in relation to the society's activities in Wayne County and indicated that by linking these activities to other known activities it was hoped to extend the scope of the investigation beyond the county lines.

Genessee Inquiry Opens

In Jackson County, seat of the Michigan State prison from which three guards were dismissed and one suspended, the grand jury conducted before Justice of the Peace Ernest J. Rogers will resume tomorrow morning, when six witnesses will be called to testify about the ritualistic cult's hold on its members and its finances, and about its meetings and several floggings and fires in the county.

A Genessee County grand jury got under way today, hearing several witnesses.

Investigations are being sought in Oakland County, which in cludes Pontiac, Monroe, outside Detroit and in Grand Rapids.

The two new prisoners in the murder of Charles A. Poole, 22-year-old WPA worker whose slaying began the Black Legion inquiry, were arraigned today before Common Pleas Judge Ralph W. Liddy so that it will be posisble for Prosecutor Duncan C. McCrea to conduct their examinations tomorrow jointly with the thirteen other members of the Black Legion now in custody.

The men Vergil Morrow and Albert Stevens, were formally charged with murder and kidnapping, although it is not alleged that they were present at the slaying. The prosecution hopes to convict them by proving that they started out with the actual killers. They were held without bail.

Woman Witness Held Secretly

Defense counsel sought to obtain the release of two witnesses. Writs of habeas corpus, sworn out by Bernard W. Cruse, lawyer for most of the defendants, revealed that the State was holding secretly Ruby Lane, a servant in the home of Mrs. Owen Kent Rushing, sister of Poole's widow and a sister-in-law of Lowell Rushing, one of the defendants.

Miss Lane is being held, it is believed, to aid in establishing the motive for the crime. The writs are returnable tomorrow morning at the hour when Common Pleas Court will convene for the examination of the defendants.

Two new suspects were arrested tonight on suspicion of murder and eight persons, believed to have information which may qualify them as material witnesses, were being questioned.

Those held are Louis Womack, 28, and Michael Layton, 26. Both are city employes, on the rolls of the Public Lighting Commission, by which Dayton Dean, accused as the actual killer, and Harry Davis, "colonel" of the "regiment," were employed.

Detectives asserted that both men were close friends of Dean and sought to establish that they were present at the Wolverine Republican Club meeting from which the Black Legion set out when the murder was committed.

Insanity Plea for Dean

An insanity plea will be made for Dean, his counsel declared. Appointmetn by the court of a commission of alienists will be asked. An aim in the move is an effort to discredit Dean's confession, one of the pillars of the State's case. The defense also will seek to void statements by other defendants on grounds of technical irregularities.

Political rivalry between the State Attorney General's office, which, like the whole State administration, is Republican, and the Wayne County Prosecutor's office, one of the few Democratic offices, threatened to obstruct the prosecution and the inquiry.

Mr. McCrea, in announcing this morning a slate of four aides, representing all the faiths and races to which the Black Legion is opposed, said that he would be in full charge of the prosecution despite the Attorney General's intenvention.

"I am responsible for this investigation and the hearing in this county," he declared.

Mr. Crowley, in announcing his plans later in the day, declared that he might take the conduct of the trial out of Mr. McCrea's hands.

"I have intervened inthis matter and I now propose to take an active part in the examination of the defendants," the State official said. "I want this hearing conducted as I would conduct it were I prosecutor. If Mr. McCrea fails to do this I will go ahead and conduct the examination myself."

Lupp Is Questioned Again

Arthur Lupp, "brigade commander," accompanied by his lawyer, appeared voluntarily before Mr. McCrea again today and left after further questioning.

Mr. McCrea was informed today by Senator Elmer A. Benson, Farmer-Laborite, that he would introduce a joint resolution for a congressional investigation of the Black Legion "and similar un-American groups."

The Senator Benson, asking particularly for any evidence connecting the burning of the Rev. Charles E. Coughlin's Shrine of the Little Flower, declared by insurance investigators to have resulted from defective wiring. He complimented Mr. McCrea on his exposure of the Black Legion.

Mr. McCrea replied that a congressional inquiry would be very helpful to him.

Mayor Frank Couzens issued an order to his department heads for the suspension or dismissal of all public employes whose affiliation with the Black Legion is definitely proved. He denied reports that a Black Legion bullet had been sent to him in an effort to intimidate him, but said that two years ago he received through the mail an anonymous letter containing a rifle bullet.

State investigators and State police concentrated today on the death by hanging of Roy V. Pidcock of Wyandotte, Wayne County, on Fighting Island on the Canadian side of the Detroit River.

Pidcock Worried, Wife Says

The man's widow said that for the past year he had been going out at night frequently, but as far as she knew he never belonged to any secret society.

"He wasn't himself, that's true," she said. "Worry over something had driven him frantic."

The current in the channel, which is a mile and a half wide, is so strong that Pidcock could not have reached the island by swimming. His underclothing, all that he wore when found, bore no signs of immersion.

He had talked of an attempt to "frame" him and had expressed fears for himself and his wife. He failed some time ago in a suicide attempt.

He left a farewell note when he disappeared, which read:

"To all that know me, I love you all. Do not worry about me. I can't explain."

The police are seeking corroboration of a friends' story that Pidcock had been asked to join the Black Legion.

LEADERS OF BLACK LEGION ARE SOUGHT

42 Men Now Arrested Small Fry, Declares Prosecutor At Detroit

DETROIT, June 14.—(AP)—Although 42 men have been charged with Black Legion terrorism, and at least 200 more have been questioned in the swiftly unfolding investigation of the hooded order, Prosecutor Duncan C. McCrea announced today that "these are just the small fry."

"Somewhere, higher up, are the real brains, the men who conceived and executed all this wickedness," he said. "They are the ones we are going to find, eventually, and bring to justice."

Among the 15 men arraigned Saturday on charges of conspiracy to murder a Highland Park newspaper editor and a suburban mayor were a "State commander," and a "brigadier general" of the night riders' organization.

These men were being questioned today by investigators searching for the key to secrets of black-cloaked brotherhood concealed by hiding from its members the identity of all their officers except one immediate superior.

One of the 15 held under $25,000 bond on the conspiracy charge is Arthur F. Lupp, Sr., State commander of the Black Legion and its principal Michigan recruiting officer, and another is Leslie J. Black, president of the Wolverine Republican League.

The names of both have cropped up repeatedly as arrests on charges ranging from murder, kidnaping and arson to simple assault have occurred almost daily since the "execution" of Charles A. Poole May 13 revealed the Black Legion's existence.

Lupp readily admitted his position in the Black Legion, but denied any knowledge of its terroristic activity.

Black, a tall Tennessean in his early thirties who was a clerk in Common Pleas Court until the Black Legion revelations, admitted organizing the Wolverine Republican League but denied he knew it was used as a "blind" by the Black Legion.

Still another of the 15 arraigned Saturday in the death plot conspiracy charge was N. Ray Markland, former mayor of Highland Park and a member of McCrea's staff until June 6 when he was suspended on suspicion of Black Legion membership.

Markland is charged with 11 others with sending out a picked squad of Black Legion gunmen, including Dayton Dean, confessed "triggerman" in the Poole slaying, to kill Arthur F. Kingsley, community newspaper editor who was fighting Markland's campaign for reelection. The remaining three are charged with a similar plot against William W. Voisine, mayor of down-river Ecorse.

All 15 are to be examined on the charges Monday.

"The 'brigadier' and others held now are just the petty officers," McCrea said, "but from some of them we expect to pick up the trail that will lead to the top. Then we will bring to light the real aims of the men who directed the Black Legion in its campaigns of terrorism."

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Michigan.

Hudson Plant Foreman Is Arrested as Plotter In John Bielak Murder

Daily Worker 6-22-36

New York Times

McCrea Says Ohio Is Hotbed of Terror Band Activity

(Daily Worker Michigan Bureau)

DETROIT, Mich., June 21.—Elwood Sparling, head of the Highland Park police and fire department, was suspended by the Highland Park council when it was found that he is a member of the Black Legion. R. Stanley Wilson, member of the Council, was named as one of those suspected of membership. Several policemen and firemen were already suspended for Black Legion membership. Five thousand dollars was appropriated by the council for further investigation of Black Legion activities.

Maurice Sugar, attorney and Farmer-Labor Party leader here, announced today that he filed complaints against the seven Black Legion members who were held for attempting to break up the Northern High School campaign rally when he was candidate for Recorder Judge, and for distributing forged leaflets purported to be issued by the Communist Party, which Dayton Dean, "trigger man" of the Legion, admitted were produced in the secret printing establishment of the hooded fascists.

Meanwhile further investigation continued into the story of Dayton Dean that he was ordered to bomb Maurice Sugar and for five months occupied an apartment in the same building where Sugar lives in wait for an opportunity to carry out the sinister plot "so too many other people won't get killed."

Implicated in Murder

William Moore, foreman in the Hudson plant, was implicated in the murder of John Bielak, young union organizer in that plant who was found murdered more that two years ago. Significantly, Bernard W. Cruse, attorney for the main group of Black Legionnaires is also attorney for Moore.

His attempt for a release on a writ of habeas corpus was denied. Five other unidentified men were held with Moore in connection with the Bielak murder. Moore was arrested in March, 1934, following the murder of Bielak, but was released. He had admitted then to have been the last man to see Bielak alive. It was also found that a supposed political meeting held on the night of Bielak's murder, which Moore attended, was a Black Legion meeting.

When Bielak left his wife for the last time, he said he was in a hurry to an appointment with Moore, his foreman.

In a telegram to Prosecutor Duncan C. McCrea, William Weinstone Michigan Secretary of the Communist Party, again called attention to the series of bombings of Communist and other labor headquarters and called for immediate investigation. The telegram follows:

Weinstone's Wire

"There is no doubt that the Black Legion has been carrying on bombing activities. We wish to know have you inquired or are you inquiring whether Black Legionnaires were responsible for bombing of headquarters of a section of our Party at 3165 Belvedere on September 5? We expect you to make public this aspect of their work. If Black Legion is to be tracked down and stamped out, its anti-labor work must not in slightest way be hushed up or played down. If liberties of the people are to be protected no one must be made to feel that they have a license in name of false patriotism and Americanism to engage in violent acts against any section of the labor movement.

Communist Party Michigan Dist.
WILLIAM WEINSTONE, Sec'y.

A committee of five, designated by the Detroit Federation of Labor to purge labor's ranks of any traces of the Black Legion began its work this week. The members are George Dean of Steamfitters 636, chairman; Paul Rambaugh of Painters 37, Jacob C. Robinson of Pressmen's 13, Morris Herman of Plumber 98, and Alan Straughan of Local 7, United Automobile Workers.

Martel Statement

"Don't kid ourselves that this Legion is not dangerous to organized labor," Frank X. Martel, President of the Federation, said as he appointed the committee. "The law will take care of some of those already apprehended; but it is right that the labor movement take action in ridding itself of members of the Legion, when they are revealed as such. . . .

"We have wondered what has caused the friction in the labor movement in the State the past few years. I have sensed these things when a union would withdraw suddenly. . . . Undoubtedly the Black Legion has been in the back of these things."

An anti-Jewish "chain letter" sent to a supporter of the Conference for Protection of Civil Rights was declared another sample of the Black Legion's poison campaign. In recent raids on Black Legion homes anti-Negro chain letters were discovered. These were the very same type that were exposed in a local Negro newspaper here. The typewritten unsigned letter reads:

"Dear Friend:

"This is a chain letter of more importance than any you have yet received. It is a plea to all Christian people of the U.S.A. to support their Christian brothers when buying groceries, clothes, shoes or anything at all. Also to consult Christian doctors and lawyers and to cast your vote for Christians and to patronize Christian establishments and no others.

"We must do this to protect ourselves, our children and children's children from the Jews which are more and more taking our bread away from us and want to deliver us into the hands of Communism in the bargain, so that they can make themselves master of our Country. That must not come to pass.

"It is now up to you and me to do something about that before it is too late.

"So do not break the chain under any circumstances. Make five to a hundred copies of this letter and send to your friends anywhere in the U.S.A. When you do that you are doing a great service to mankind n general and yourself in particular.

"PAOCA."

"Ohio Hotbed"

DETROIT, Mich., June 21.—"One thing I am sure of is that Ohio is the hotbed of the Black Legion, not Michigan," Duncan C. McCrea Wayne County Prosecutor, stated Saturday in a letter to Governor Davey of Ohio.

The Prosecutor called upon the Governor to institute a personal investigation of the Legion in Ohio, contending that "the State of Ohio is the headquarters of the ranking officers."

McCrea wrote the Ohio Governor that he has received letters from various parts of that State complaining that law enforcement officials have refused to investigate crimes, which bear the stamp of Black Legion activities.

The name of V. F. Effinger, accused as being tri-state head of the Black Legion, has been brought up repeatedly in the Michigan probe. Effinger lives in Lima, Ohio, once a cesspool of the Ku Klux Klan. When questioned by newspapermen some weeks ago, and asked if he was the real head of the Legion for the States of Michigan, Ohio and Indiana, Effinger answered: "What if I am?"

No attempts have been made to date by Ohio law-enforcement authorities to uncover the Black Legion in that State.

Legislative Inquiry Supported

Support of the Benson-Dickstein concurrent resolution for a legislative investigation of the Black Legion has been urged by the American Civil Liberties Union on its members throughout the country. "The Black Legion obviously has political and industrial connections of a character which warrant the fullest exposure so that it may be completely rooted out," the Union said.

Detroit Terrorists Flog Woman—Pontiac Bars Investigation

DETROIT, June 17 (UP).—Police of the Special Investigation Squad reported that Mrs. William Guthrie, wife of an alleged Black Legion member, was beaten severely in her home today.

Daily Worker 6-18-36

The woman was taken to Receiving Hospital in an unconscious condition.

Police believe she was beaten by Black Legion members because of disclosures of her husband's activities. It was recalled that when she was questioned recently she told authorities that the vigilante band met in her home weekly, and that much of its literature disseminated in this state was printed in the basement of her home.

"We have sent investigators over to question her, but she is still unconscious," Prosecutor Duncan C McCrea said.

Fifteen alleged members of the Black Legion, charged with plotting the death of a village president and a newspaper publisher, were held for trial today at the conclusion of their examination.

Recorder's Judge John P. Scallen said he had found sufficient evidence to hold twelve of the men in the death plot against Arthur J. Kingsley, Highland Park publisher, and three others in connection with a plot against William W. Voisine, Ecorse president.

Both intended victims were political enemies of the black-robed vigilante band.

The court ordered present bail of the fifteen, double sureties on $25,000 bonds each, to be continued pending trial, date for which was not set.

(Daily Worker Michigan Bureau)

DETROIT, Mich., June 17.—The lid over Black Legion actviities in Lincoln Park was suddenly blown off at the city council when Councilman George Shanley of that city, member of the Wayne County Committee of the Farmer-Labor Party charged that though the Black Legion threatened him, killed George Marchuk and beat several other workers, his proposal for an investigation could not even get a second in the council.

Shanley told how shortly prior to the murder of George Marchuk, in the fall of 1933, he was ordered by two men to "lay off or we'll take care of you," while he was leaving a Council meeting. Shanley said Isaac White (Peg-Leg White) was one of the men who threatened him. White was also mentioned in the murder of John Bielak, a worker in the Hudson plant.

"I asked for an investigation of the beating and couldn't even get a second for my motion," Shanley said. "We turned it over to the Chief of Police. Nothing was done and I think the chief was implicated."

Young Democrats Protest

Shanley's demand for a thorough investigation of the Black Legion's activities in Lincoln Park came when a resolution of the Jeffersonian Young Democratic Club of that city strongly demanding a clean-up of the Legion came before the Council. Witnesses who took the floor and corroborated Shanley's charge, included George Morris (not of the Daily Worker), who was one of the workers beaten by the mob in 1933. He stated that the men

were from out of town as he couldn't recognize any of them Chief of Police Baker claimed that he "couldn't find anyone who would swear out complaint."

Senators Reply

In telegrams to the Conference for Protection of Civil Rights Senators Vandenberg and Couzens of Michigan back-watered considerably from their previous position which raised obstacles to rallying support for the Benson Resolution. The conference wired a protest to the senators when it was learned from the secretary of Senator Benson that because the Michigan senators showed no interest in a Congressional investigation it is difficult to rally support for the Benson resolution.

Senator Couzens wired that "should the matter get up in the Senate, I will be glad to support it."

Senator Vandenberg, going into considerable detail to state his strong opposition to such organizations as the Black Legion, wrote that he has asked for a report from the Department of Justice and "if the report is in any remote degree unsatisfactory, you may depend upon it that I shall support the Benson resolution."

PONTIAC, Mich., June 17.—A resolution introduced before the City Commission to fire all known Black Legionnaires from the city payroll was defeated in this General Motors-controlled city yesterday.

All Pontiac city officials and employes are to be called before a Grand Jury soon to ascertain the extent of the robed organization's control in municipal offices.

See Liberty League Tie

WASHINGTON, June 17.—A possible link tying up the Vandenberg-Brucker Republican machine of Michigan and the American Liberty League with the Black Legion was suggested today by Representative Frank E. Hook, Democrat, of Michigan.

"The financing activities of these lords of our economic life has been so widespread," Hood said, speaking of several spurious patriotic organizations backed by du Pont and General Motors, "that we are justified, I believe, in asking what connection, if any, they may have with the Black Legion."

Calling for a complete investigation by the Federal government, he pointed to the connection of Governor Fitzgerald, ex-Governor Brucker, Judge Sharp and other Republican leaders in Michigan with the Black Legion "false front" organization, the Wolverine Republican Club. "I know the Vandenberg-Brucker G.O.P. machine," he said, "and I have my suspicions."

Representative Fred H. Hildebrandt, Democrat, of South Dakota, declared that the latest evidence against the hooded terrorists confirmed "the belief that the Black Legion is in close relationship with some of the reactionary elements of the Republican Party, and that the G.O.P. machine itself is not averse to fascist methods to crush labor leaders and unions."

BLACK LEGION PANIC ENDS

Michigan Cities Breathe Easier as Juries Find Witnesses Willing to Testify

Special Correspondence, THE NEW YORK TIMES.

DETROIT, Mich., June 19.—Detroit, in common with the rest of Michigan, has rid itself of the panic it felt when it was first revealed that the Black Legion, with night riders and a policy of vengeance, had arisen in its midst. The Black Legion still is front-page news, but the accounts today tell of the law taking its course. Detroit is beginning to see lynching in the light of a crime that must be punished but no longer as a paralyzing threat hiding in the dark.

Three major investigations are now being carried on in Michigan in the form of grand jury hearings, one in Detroit, another in Pontiac and a third at Jackson. All are bringing out further facts regarding the Black Legion, and from this officials conclude that witnesses are not afraid to talk.

As to intimidation, police have reported none in any Michigan city with one possible exception. Mrs. Dorothy Guthrie, 33, of Detroit, was found bound, gagged and beaten in her home last Wednesday. Her husband, William, two weeks before had been questioned by police and admitted having printed pamphlets for the Black Legion, and Mrs. Guthrie had told of Black Legion meetings. But the police were not sure the Black Legion were responsible for her beating.

All cases of Black Legion violence and intended violence lately disclosed date back prior to the beginning of the investigation. Most recent are the charges that the legion proposed to kill two men who were powerful in suburban politics. One was William W. Voisine, president of Ecorse, the down-river community which was famous in prohibition days because of its rum-runners. The other was Arthur L. Kingsley, publisher of a weekly paper in Highland Park, which opposed a candidate for Mayor who was supported by the Black Legion. In each case numerous conspiracy warrants have been served. In each case, according to the stories to police, the intended victims were not killed because the legion could not lay hands on them at an appropriate moment.

WHEN THE SHOE PINCHES

THE so-called Black Legion is causing a national stir. Working with Ku Klux Klan methods, these thugs are alleged to have committed a number of kidnapings and murders. Their activities are directed against Catholics, Jews and Negroes. So far no Negroes have yet been victimized by the "Black Legion" whose headquarters are reported to be in Michigan.

What interests us at this time is the almost instantaneous reaction to the reports of the "Black Legion." State authorities, editors, Congressmen, ministers and other leaders of our American life are open in their condemnation of this "blot on the face of our fair nation", and even as we write it is announced that Federal agents are likely to be used to round up and wipe out the "Black Legion."

For years a Southern "White Legion" has been kidnaping and murdering colored Americans and not only have white leaders been silent but Congressmen have resorted to underhand methods to prevent a law being passed against such crimes. Last week a poor Negro woman was paid $2500 for the murder of her innocent boy. What amount of money can fill the vacant spot in a mother's aching heart? Which one of these smug whites who hail this as a great step ahead would take even a billion dollars for their son or daughter.

The fact is that the white bosses of this country are quick to act when the shoe pinches them. But the poor Negro?—The idea! We must face the facts that this is a white man's country and the only way that we can get any recognition in its government is to build up an economic and political strength. Let Negroes think on this when they are throwing their money away into selfish white coffers. Let them think on it when they are parting with their votes for a couple of dollars.

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5 Members Of Black Legion Found Guilty

Defendants
12-5-36

By RUSS J. COWANS

DETROIT, Mich., Dec. 4—The five alleged members of the notorious Black Legion, charged with the thrill murder of Silas Sylvester Coleman, World War veteran, were found guilty of first degree murder by a jury in Judge Harold Van Zile's recorders court late Saturday evening.

The jury, composed of seven women and five men, all white, deliberated a little more than six hours before arriving at a verdict. The jury asked for instructions from the court shortly before disclosing their finding.

The convicted defendants are Irwin Lee, Harvey Davis, John Bannerman, Roy Lorance, and Charles Rouse. Lee, Davis, and Bannerman already face life sentences for the murder of Charles Poole, white, the murder which blew the lid off and exposed the machinations of the terrorist society.

The jury's decision of returning a verdict of first degree murder makes life sentence mandatory for the five Black Legionnaires. Judge Van Zile said he will sentence the men Friday.

Two statements were read to the jury before they resumed deliberations—that of Dayton Dean, chief witness for the state. Dean's statement contained details of the round-up of the Black Legionnaires at the cottage on Rush Lake, where Coleman was killed on the night of May 25, 1935. The statement of Lorance, corroborating Dean's story, was also read.

Judge Van Zile instructed the jury in his charge that they could either find the defendants guilty of first degree murder, or not guilty. He explained that if the murder had been committed by the defendants, it was premeditated, wilful and planned in advance. This eliminated any chance for a second degree murder or manslaughter conviction.

Fourteen jurors heard the evidence from the witness stand, two being excused before the charge by Judge Van Zile.

The trial started Tuesday after four days had been spent selecting a jury.

Mrs. Eulah Coleman, widow of the 42-year-old veteran, was the first witness to testify. She told of her marriage to Coleman and how she and Coleman had become estranged after she had borne him two children.

She last saw Coleman alive a week before his body was found in a swamp near Pinckney, Mich. She identified the body following Coleman's death.

Mrs. Galie Hines, sister of Mrs. Coleman, gave similar testimony to that of her sister. Edward Spears, a farmer living near where Coleman's body was found, told of hearing shots on the night of May 25.

Dean was called to the stand Wednesday morning by the state. Under direct examination by Assistant Prosecutor William E. Dowling, white, Dean told his story.

"I was at work at the Public Lighting Commission Plant on West Jefferson avenue," Dean said, "when Harvey Davis, who worked there too, came to me and told me to get him a Negro so that he could have some target practice at the cottage.

"I told him that the only way I could get him a Negro was to pick up one on the street. Then I thought of Charlie Rouse and I told Davis that I would talk to Rouse and see if he knew one that he could get."

"What do you mean you were going to do with the Negro?" asked Dowling.

"We meant that we would take the Negro out and kill him—use him as a target to shoot at," replied Dean.

"Well, I talked to Charlie Rouse and Charlie said that he had just the man. He said that he had a Negro by the name of Coleman, whom he had hired to work for him.

"I met Charlie the next Saturday—it was Tuesday that I talked with him—and he said everything was O.K., that he had made arrangements to meet this Negro at 5 p m. We drove to the home of Harvey Davis, but Davis was not there, so we went to Grand River and Meyers Road to pick up this fellow Coleman.

"Rouse said that he owed Coleman some money—I believe $18. Charlie spotted Coleman standing on the corner and told the Negro to get in the car. Then he said that if Coleman wanted to get his money he would have to go out to Rush Lake, near Pinckney, where the fellow was that had it.

"Coleman said that he had bought a couple cases of beer and that he was going to have a party in his house and wanted to get back."

On arriving at the lake, Dean said that he went into the cottage and found "Davis, Lee, Bannerman, and Lorance sitting around a table."

The men then came out and "Bannerman and Rouse got into Rouse's car and the others got in another car. The other car took the lead and drove through Pinckney, which is about six miles from Rush Lake. About a mile farther west, it stopped at a bridge where there was a large marsh on all sides. Davis, Lorance, and Lee got out of the front car and Bannerman and I got out and we started to talk.

"I guess Coleman thought something was wrong because he wouldn't get out. Then Davis said, 'All right boys, let's get him.' They all drew their guns and started to shoot—Davis fired first—and the Negro tried to say something, but I guess we got him in the lung because all he could do was gurgle. Then he started to run.

"Davis yelled at us not to let him get away, and we all ran after him. everybody shooting. My gun—a 45 automatic—jammed and I couldn't shoot. But the others did and when Coleman got tangled up in a wire fence, they emptied their guns into his body.

"After the shooting, we went back to the cottage and had a drink. The women were in bed, I guess, because I didn't see them around. Then Charlie Rouse and I went back to Detroit. He gave me $10 of the $18 he owed Coleman, and told me to split it with the boys.

"I told Davis about the $10 and he said that I shouldn't say nothin' about it and so we each took $5. Later at a Black Legion meeting, the others asked me about the money, but I didn't tell them anything."

Defense counsel attempted to show that Dean had testified against Davis because Davis had "ordered Dean whipped at a meeting of the Black Legion." Dean answered this by stating tthat Davis was not a member at the time he was flogged.

Charles Rouse was put on the stand by the defense Friday. He testified that he had lived in Detroit 13 years, is married and the father of two children. He was born in Wisconsin. He denied knowing Coleman during the latter's life or that he had ever worked for him. He also denied knowing Dean and his co-defendants prior to the arrest of the men last July.

Before Rouse was put on the stand, counsel for the defendants, asked the court to disregard the murder charges against Rouse, Lee and Bannerman because "there is no testimony to show that these defendants had any knowledge of the crime until it was committed in Livingstone county."

The court ruled against the motion, claiming that it was for the jury to decide.

Lee, on the stand, admitted knowing the defendants, except Rouse, but denied the murder charge. He charged Dean accused him of participating in the killing because Dean bore a grudge against him and the other defendants.

Neither Rouse nor Lee although denying that they participated in the crime, could remember where they were on the night of May 25, 1935.

The state was represented by Assistant Prosecutors Charles W. Jones and William E. Dowling.

STATE WINS TILT WITH BLACK LEGION

Advertiser

Michigan To Try 19 Accused Men For Criminal Syndicalism

12-12-36

DETROIT, Dec. 11.—(AP)—The State struck at the political aims of the Black Legion today, winning the right to try on criminal syndicalism charges 19 men accused of conspiring in the night-riding organization to overthrow the Government.

Montgomery Ala.

The men were named in a Grand Jury report Aug. 21 as having advocated "crime, sabotage, violence or other forms of terrorism as a means of accomplishing industrial or political reform."

Common Pleas Judge Ned Smith concluded their preliminary examination today by ordering them held for trial. He released one of the 22 originally indicted, Viggo C. Rasmussen, suburban Highland Park policeman.

Frequent postponements of the examination had been taken while Michigan authorities searched for Virgil F. (Bert) Effinger, Lima, Ohio, electrical contractor named by investigators as national commander of the Black Legion, and for Isaac (Peg-Leg) White, former Detroit police officer. Both are fugitives. Effinger disappeared after an extradition hearing in Ohio.

The Grand Jury indicted the men after Dayton Dean, Black Legion "executioner," charged in an affidavit that Effinger told meetings of the night riders that a call would be issued Sept. 16 for Black Legion armed forces to seize Government buildings and arsenals.

"He said he would do away with politicians and Government officials," Dean's affidavit related.

Michigan's criminal syndicalism law was drafted in 1919 as a weapon against communism. The trial of the men held today will find it invoked against a group which considered communists as enemies.

Among those held for trial and facing terms of 10 years in prison and fines of $5,000 if convicted, are Arthur F. Lupp, Sr., alleged head of the Black Legion in Michigan; Harvey Davis, under life sentences for two murders attributed to the night-riders; N. Ray Markland, former mayor of Highland Park, and several Black Legion officers and suspended Highland Park policemen and firemen.

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BLACK LEGION THUG CONFESSES MURDER

Dean Shocks His Counsel by Unexpected Statement in Court in Detroit.

PLOT IS LAID TO DAVIS

'Colonel' Ordered Poole Slain, Witness Says—Victim Shot Eight Times.

By WILL LISSNER

Special to THE NEW YORK TIMES.

DETROIT, June 3.—Dayton Dean, Black Legion gunman, in a surprise move almost without precedent, took the witness stand voluntarily over his counsel's protest today at the preliminary court examination of himself and twelve other members of the organization whom the prosecution is seeking to bring to trial for the murder of Charles A. Poole.

Gravely, weighing each word, Dean told his own eyewitness story of the Poole murder on the basis of a statement made to Prosecutor Duncan C. McCrea. He gave his account in reply to questions from the prosecutor, some of which were prompted by Attorney General David H. Crowley, acting for the State.

He said he shot Poole because as a Black Legion member he was supposed to and because the order's oath required him to take commands from his superior officers, no matter how criminal their nature.

He named Harvey Davis, "colonel" of the "regiment," as the author of the murder plot. Dean said he had no personal grudge against Poole or other reason for his act. Davis, he said, gave him the order to kill.

Shields His Associates

In his testimony Dean told without apparent remorse of the events preceding the killing and described the murder scene and how he started firing. He told how he had paid Arthur Lupp, former City Health Inspector, $5 for one of the revolvers he used, but said Lupp was only an intermediary. He testified that he had forgotten the seller's name.

Except for four of the defendants, Dean carefully shielded his associates in the terrorist society and spoke in general terms of the activities of the organization itself. He attended meetings twice a month in many different halls, and visited meetings "out in the country," north, east and west of Detroit, he admitted, but would neither name any of them or fix approximate locations. He pleaded ignorance of the identities of any officers other than his own commander.

To any question which would disclose facts he wished to keep secret he replied with a laconic "Can't say." When asked to pick out the defendants he had seen at the meeting, Dean, a short, stocky, bullet-headed man with pudgy, regular features and closely cropped hair, pulled himself to his feet hesitantly.

Reluctant on Identities

Declining to go nearer the defendants, who were sitting, handcuffed together, along half the left side of the crowded court room, Dean craned his neck to peer over the head of the clerk and court reporter at the men being held with him on murder and kidnapping charges. It was a long time before he answered and his identifications were in a low, reluctant tone.

Dean squirmed and shifted in his seat on the witness stand. He kept his head cocked toward his right shoulder and his face was clouded throughout his testimony. He took the stand early in the morning session and remained there until court adjourned for the day.

The adjournment was taken until Monday so that the Attorney General may study the records to decide whether to press the murder or the kidnaping charge against each defendant.

At the request of the prosecution, Judge Ralph W. Liddy granted an offer permitting Dean to be taken to police headquarters rather than be confined with the other defendants in the county jail. Note conceded his animosity.

Witness Called a "Rat"

At the noon recess several sneered that Dean was a "rat." Davis declared that Dean had sold out to the prosecution.

"I wouldn't do a thing like that," Davis said. "They propositioned him."

Two detectives occupied the stand for a short time after court opened to present statements taken from the defendants by the police. This brought out that seven of the defendants were not at the Poole murder scene and that some denied knowledge of the plot.

Davis, the statements showed, said he knew Dean had guns, but he denied that the legion group took a rope along. Because the plan was to whip Poole, to avenge Poole's wife, whom gossip said he had beaten.

Then Mr. McCrea addressed the court.

"I am told that the defendant Dean wants to tell his story at this time," he said. "The officers inform me he wants to be heard and I am calling it to the attention of the court because I feel it my duty to do so."

The defense was taken aback. Bernard W. Cruse, lawyer for most of the defendants, including Dean, leaped to his feet, objecting that the prosecutor was advising his client.

Judge Liddy stated that Dean had a right to take the stand if he wished, but was under no compulsion to do so, and instructed him regarding protection of his interests.

Judge Questions Dean

"Under the circumstances, I shall certainly ask Mr. Dean in open court if he wishes to take the stand and inform him he is at liberty to do so, if he so desires," Judge Liddy told the protesting defense counsel.

Turning to Dean, after a pause to give him time for consideration, the judge said slowly:

"Do you desire to make any statement?"

Without raising his voice, Dean replied: "Yes Sir."

Mr. Cruse asked that his client be further instructed regarding his rights.

"I shall not make any attempt to dissuade the defendant from taking the stand," the judge ruled.

"I wanted to make a statement for the record," the defense counsel declared, flushed. He said later he intended to withdraw as Dean's lawyer. Suspecting this, Judge Liddy called him to the bench and persuaded him to withhold his decision until he had studied the testimony.

Dean said he first heard of Charles Poole three or four days before the killing from Harvey Davis while they were at work in the city light plant.

"He said that Poole beat his wife, jumped on her and broke her ribs and blacked her eyes," Dean said.

It was brought out yesterday that Davis had overheard two women discussing a verbal quarrel the Poole couple had had. Dean added:

"He said we were gonna have a meeting Tuesday night and for me to be over to his place early to pick Poole up."

Dean went to Davis's home at the appointed time and found Davis out. On Davis's return, the "colonel" told him he had everything all fixed up and had told Poole about going on a baseball party. Dean said Davis used this excuse "because he was a baseball fan and had fallen for that stuff." He continued:

"On the way over to the hall he (Davis) and Lee were talking in the front seat about it was going to be a one-way ride.

"Davis said: 'Going to hang him?'

"Lee said: 'Either do that—we won't bring him back. Either shoot him or — ' "

Davis arranged that Erwin Lee, another defendant, and he, Dean, were to pick Poole up, Dean continued. He went into the hall, "monkeyed" around for a while while Lee and Davis were rolling up a rope on the floor in the back.

The ten or fifteen present grew to fifty or sixty. After a talk by a "White Russian" on communism, Davis got up, he said, telling about the announceemnt of the Poole case and the clamor of mob frenzy it evoked.

Davis pointed out Lee and Dean to get Poole and asked for volunteers. Davis could order him, he said, because "he was the colonel."

A "bunch" volunteered, but Urban Lipps, another defendant, and another person were sent. Dean said he could not recognize which defendant was the fourth. Later in the day he reluctantly picked out Paul R. Edwards.

Says He Was Supposed to Fire

During the automobile ride to the scene of the murder, Dean said, they talked about baseball. Poole wondered why they were driving around, out in the dark country, and remarked, "This is funny manoeuvring."

Dean's account of the shooting follows:

"They all got out of the first car and Lee and I got out and walked back about twenty-five feet. We were waiting for the car with the paraphernalia in it.

"Davis said: 'Guess the other cars got lost.'

"After Davis said the other cars were lost, he said: 'Dean, go get Poole out of the car.'

"I drawed my guns and ordered him out of the car: 'Poole, get out of the car.' He said: 'O. K.'

"Davis said: 'Bring him back.' "

Dean kept the weapons trained on the victim as he marched him back, he testified. Davis then said, Dean asserted:

"Poole, you have been beating your wife." According to Dean, Poole said his wife was in the hospital with a baby or something. The witness testified that Davis then said: 'You have beaten your wife for the last time.'

"I don't remember what else was said," Dean remarked. "Davis told Poole he'd never have a chance to do it again. Poole didn't say any more—just listened there."

"Well, I—Davis stopped talking—I looked around—I knew I was supposed to shoot him so I started firing. Then Lee started.

"When we found there was no rope, we were going to shoot him. Davis was supposed to. All who had guns were supposed to shoot."

Eight Shots Were Fired

In the car, Dean testified, Davis spoke to him.

"He said he had some more to say to Poole. He didn't expect me to shoot right off the reel—not so quick," Dean went on.

"Lee said: 'Well, there's no use waiting.' "

Lee asked Dean how many shots were fired.

"I said eight," Dean testified. "Lee said he shot three.

"Davis told Lipps he'd better keep his mouth shut or he'd know what happened. We all told him that."

About the motive for the killing, Dean made the following statements:

"Colonel Davis got it up. I shot Poole because I was supposed to. I had no personal grudge. I had to take orders from my superior officers. If I were ordered to murder some one or commit crime I would do it."

Dean brought in the name of the Michigan National Guard when he admitted that he was a member eight years ago. But he knew of no other guardsmen members, he said.

Dean's lawyer announced during the noon recess he would enter a plea of guilty for the man. This could not be done in the present hearing, it was learned, for if the plea had been entered originally, it would have constituted waiver of examination, sending the case to the higher court for pleading.

Unaware that Dean would take the stand, a proceeding which is legal but which had not occurred in the memory of judge or counsel, the defense had entered no plea.

Meanwhile, the Attorney General sent a petition to the Oakland County Circuit Court in Pontiac for a grand jury investigation there.

The State's Wayne County inquiry opens tomorrow, when, in Jackson County where a grand jury has been in session, there will be a preliminary court examination of four alleged members charged with a flogging.

Another inquiry is going on in Flint, Mich.

Says Fear Forced Membership

By The Associated Press.

NAPOLEON, Mich., June 3 (AP).—Fear and forced, Harvey Markley and other serious-minded farmers of this small community into the Black Legion, he said today.

But that fear has been relieved, the 70-year-old town leader said, and secret society which townsmen once did not care to name above a whisper has become a "big joke" now that its activities are being brought to light.

"Ninety per cent of the members around here were members because they were afraid for their lives," he declared.

Markley told how he was forced to take the Black Legion oath and then was given a bullet and warned he would get the "hot end of it" if he ever violated the oath.

"Now that's just the way they got almost everybody in this town into the Legion," he asserted. "I kept quiet but refused to attend meetings."

Mr. Green called on Attorney General Cummings with information from Homer Martin, president of the United Automobile Workers Union, to the effect that union members in Michigan had been intimated and attacked by Black Legionnaires.

According to Mr. Martin the deaths of John Beilak, a union member, was attributed by friends to the members of the legion.

Mr. Green advised the automobile

A. F. of L. Asks Inquiry

Special to THE NEW YORK TIMES.

WASHINGTON, June 3.—Department of Justice officials today were studying a report made by President William Green of the American Federation of Labor who asked Attorney General Cummings to name Legion had terrorized union automobile workers.

Ku Klux Klan - 1936

Michigan

BLACK LEGION THUG CONFESSES MURDER

Dean Shocks His Counsel by Unexpected Statement in Court in Detroit.

PLOT IS LAID TO DAVIS

'Colonel' Ordered Poole Slain, Witness Says—Victim Shot Eight Times.

By WILL LISSNER

Special to The New York Times.

DETROIT, June 3.—Dayton Dean, a surprise witness in a surprise-headed man with pudgy, regular Black Legion gunman, in a surprise features and closely cropped hair, move almost without precedent, pulled himself to his feet hesitantly. took the witness stand voluntarily over his counsel's protest today at the preliminary court examination of himself and twelve other members of the organization whom the prosecution is seeking to bring to trial for the murder of Charles A. Poole.

Gravely weighing each word, Dean told his own story of the Poole murder and the charges. It was a long time before he answered and his identifications from the witness stand. He gave a statement made to Prose- cutor Duncan C. McCrea. He gave his account in reply to questions from the prosecutor, some of which were prompted by Attorney General David H. Crowley acting for the State.

He said he shot Poole because a Black Legion member he was supposed to and because the order's oath required him to take com- mands from his superior officers, no matter how criminal their na- ture.

He named Harvey Davis, "colo- nel" of the "regiment," as the author of the murder plot. He said he had no personal grudge against Poole or other reason for acting in his act. Davis, he said, gave the order to kill.

Shields His Associates

In his testimony Dean told without apparent remorse of the events pre- ceding the killing and described the murder scene and how he started firing. He told how he had paid him."

Arthur Lupp, former City Health Inspector, $5 for one of the revol- vers he used, but said Lupp was only an intermediary. He testified that he had forgotten the seller's name.

Except for four of the defendants, Dean carefully shielded his asso- ciates in the terrorist society and spoke in general terms of the ac- tivities of the organization itself. He attended meetings twice a month in many different halls, and visited meetings "out in the coun- try," north, east and west of De- troit, he admitted, but would neith- er name any of them or fix approx- imate locations. He pleaded ignor- ance of the identities of any offi- cers other than his own com- mander.

To any question which would dis- close facts he wished to keep secret he replied with a laconic "Can't say." When asked to pick out the defendants he had seen at the meet- ings, he said, "I am not a witness for the prosecution."

Declining to go nearer the de- fendants, who were sitting, hand- cuffed together, along half the left side of the crowded court room, Dean craned his neck to peer over the head of the clerk and court re- porter at the men being held with the noon recess he would enter the automobile ride to the meet- ing, a plea of guilty for the man. This could not be done in the present case. It was learned, for if the plea had been entered originally, a waiver of examination, sending the case to the higher court for pleading.

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"He said that Poole's wife, jumped on her and ribs and blacked her eyes," Dean said.

It was brought out yesterday that Davis had overheard two women discussing a verbal quarrel the Poole couple had. Dean added: "He said we were gonna have a meeting Tuesday night and for me then said: 'You have beaten your wife, Poole, you have been beating pital with a baby or something. The witness testified that Davis said. "They propositioned several "rat." It was overheard that Davis had sold a "rat."

Witness Called a "Rat"

At the noon recess Dean was asked by Davis: "Dean, you have been beating your wife, Poole, you have been beating your wife." According to Dean, Poole said his wife was in the hos-

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union chief to lay the facts in the case before a committee which he believes will be created by the Senate to study deprivation of civil rights and espionage among industrial workers. He also asked Mr. Cummings to make an investigation of the charges.

Mr. Cummings indicated today that he had been aware of the existence of the Black Legion for about a year, but that he had not seen any Federal violation. He said there had been no request from Canada for an inquiry regarding charges that the Black Legion had taken part in the hanging of a man on an isolated island in the Detroit River in Canadian territory.

Chattanooga, Tenn. Times
May 29, 1936

Black Legion Rank and File Made Up of Klan Dissenters

Copyright, 1936, by the North American Newspaper Alliance, Inc.

DETROIT, May 28.—The midnight robes of the Black Legion are night shirts of the Ku-Klux Klan, dyed black. They are the robes of men who dissented from the klan because that secret and once powerful organization was not cruel enough in the execution of its judgments, or perhaps because in their warped and twisted minds the klan did not go far enough in "protecting true Americans and true Americanism" from the Negro, the Catholic, the Jew and the "foreigner."

That statement is, of course, a generality, and, like all generalities, it is subject to exceptions. That it is true has been rather definitely established in the few days since Detroit detectives announced that members of the legion were responsible for the death of Charles A. Poole, the WPA workers who knew too much about the secret society.

Those members of the legion held on charges of having murdered Poole are reminiscent of Neanderthal man. They are defective in intelligence, in education, in background, and in their social outlook. Even so, they are roughly typical of the typical klansman of ten years or more ago, when the white-hooded order all but dominated the governments of several of the states, and became an issue in a national political convention.

Offshoot of Klan.

It was the parallel in types, and the rough parallel in objectives, that first gave rise to theories the legion might be an offshoot of the klan.

The most recent confirmation of that theory has come from Dr. William J. Shepard, the small town doctor at Bellaire, O., who is reputed to be the national commander of the terrorist society.

According to Dr. Shepard, the Black Legion got its start in 1925, when he took a group of black-robed men to the national encampment of the klan at Buckeye lake, near Newark, O.

Shepard's black-coated and black-robed staff acted as guards at the encampment.

"We guarded the barrels that Hiram Evans, the imperial wizard of the klan, put the money in," Shepard observed. "I guess the only mistake we made was in not taking some of those barrels."

It is Shepard's belief that the Black Legion idea originated at that klan encampment. He disavows responsibility for the Black Legion in Michigan, but he talked quite a bit about how the idea of the legion came to his mind while studying the exploits of Moseby and Quantrell, the guerrilla raiders of the south during the War Between the States.

Quantrell was mentioned in literature of the legion seized at Jackson, Mich., where five members of the order were held on charges of having flogged a neighbor.

Traced to Civil War Leader.

A lieutenant-colonel of the Wheeling (W. Va.) unit of the legion, who asked that his name be withheld, declared that members are required to take the "Black Oath of Quantrell" and consider the War Between the States leader to be their patron saint.

The lieutenant-colonel also asserted that Shepard, though he denies it, is a descendant of the William ("Shotgun") Shephard who was a War Between the States guerilla fighter.

The order, incidentally, is reported to have different names in different states, being known in Indiana as the "Red Legs" and in West Virginia as the "Black Brigade."

Shepard believes that the men who killed Poole should be hanged. He shares that opinion with Virgil H. Effinger, of Lima, O., the loose-jowled, tobacco-chewing ex-contractor, who is reputed to be the leader of the society in Michigan, Ohio and Indiana.

Effinger, like Shepard, would not admit outright he was an officer of the legion. He did admit, however, that he had been a member of the klan, and an organizer. Arthur F. Lupp, the reputed Michigan commander of the legion, who likes to prate of the flag and the constitution, and the sanctity of American ideals and institutions, has not admitted any former klan affiliation. Numbers of persons who are known to be members of the legion in Michigan, however, have been identified as former members of the klan.

Lupp and Effinger were both born in southern states. If the sixteen men originally arrested in connection with Poole's death provide any cross-section, the majority of the rank and file members are from the ridges and gulleys of Tennessee, or from the deep south. Two-thirds of the men arrested were from Tennessee or Georgia or Kentucky. They are sallow, thin, pathetic types in whom there is scarcely even a spark of intelligence.

Some of the former klansmen who are now in the legion assert they left the klan because it was a "racket" and that the wizards and imperial potentates were interested primarily in the $10 initiation fees.

Legion Profits From Regalia.

The Black Legion's initiation fee is 10 cents, none of which is kept by local officers. The local leaders make their profit through the sale of the black robes, with their white skulls and cross-bones. These robes sell at about $6.75 and do not cost more than $1.50 or $1.75.

J. A. Colescott, head of the klan in Ohio, Michigan, Indiana and Kentucky, has stated that he was aware some persons were deserting his organization in favor of the black-robed legion. He has also stated that he considered it "good riddance."

Klan memberships were largely voluntary. The legion recruits its members, according to credible testimony, by compulsion and terror. The prospective candidate has little choice. Usually he is too terror-stricken at the horrendous ritual to even protest.

And once a member, he is told that there are no ex-members—except those who are six feet under ground.

The distinctions between the klan and the legion are fewer, however, than the similarities. The most marked similarity is in the anti-Catholic, anti-Negro, anti-foreigner philosophy. Another is the secret ritual and the wearing of robes, and the oaths of allegiance.

From many indications, it becomes evident that both organizations stem from the same source—ignorance, intolerance, bigotry and hate.

SECRET TERRORISM

Prompt action of state authorities of Michigan in apprehending members of the Black Legion, which gained members through threats, and murdered innocent people who stood in its unlawful course, is another warning to persons with warped minds that such secret terrorist organizations have no place in the United States and will not be tolerated.

Since the noted "whitecap" depredations of a secret organization in southern Indiana half a century ago, several secret "rule or ruin" bodies have come into existence, but careful as they were to keep their unlawful acts under cover, they were eventually unearthed, the leaders punished and the gangs broken up.

An organization of this nature called the "Black Shirts" came to light in Atlanta a few years ago. What happened to it and its leaders is succinctly told in the following communication from William S. Wier:

I am reminded by your editorial, "The Mote and the Beam," that just a few years back The Constitution, with no help from the other papers, waged a successful war and nipped in the bud a "Black Shirt" movement that could have become as hideous as has the "Black Legion."

That was as fine a piece of journalism as I have ever observed, and the reason such organizations as the "Black Legion" or the "Black Shirts" cannot get foothold in Dixie is that we have some one on the watch tower with courage and foresight.

Captain Evan P. Howell used to say successful journalism rested in the ability to see it coming; drawing his philosophy from the experience of old soldiers in dodging bombshells.

This is the tribute I want to pay The Constitution in this instance.

We read and shudder at the terrorism that exists in Germany, where a former paperhanger organized a gang of cutthroats and took over an entire government. He rules by force—prison, torture and murder—for those who oppose his will and edicts.

Not only Jews, but Catholics, Protestants and Masons, are objects of the fury of his sworn adherents. He abolished the religion of the nation and set up his own, with himself as its deity to be adored and obeyed.

Similar ambitions of despotism have ruled the brains of those who originated secret terror organizations in America, but they have been squelched by prompt and courageous action.

However large may be the murderous organization known as the "Black Legion," it will be dissolved as quickly as the others; apprehended leaders and those convicted of crimes will be punished; other members will be ashamed of their connection with the order and fearing punishment will hide that fact and deny it if accused.

THE BLACK LEGION AND UNCLE SAM

Investigation has disclosed that the murderous Black Legion is a treasonable, interstate, secret organization aiming at a bloody dictatorship over America.

Its plainy stated objective is an America safe only for 100 per cent white, Protestant, native, Fascist-minded Americans.

To attain its objective the Black Legion has committed murder, flogging, bombing, dismemberment and decapitation.

A more fiendish aggregation could scarcely be imagined, and yet the State and Federal law officers do not seem to be greatly perturbed about it.

If these organized lynchers were Socialists, Communists, Jews, Catholics or Negroes, the law officers, from rural deputy sheriffs to G-men, would be turning heaven and earth to jail everyone connected with the Black Legion.

If there was ever a case that called for the intervention of Federal authorities, this is it, but although Michigan law officers have called for help at Washington, Mr. Hoover refuses to make a move.

Colored people should be more interested in the scotching of this Black Legion than they appear to be, for unless it is exterminated it will always constitute a terrible menace to our livelihood and our liberties.

The whole mess cries for a Congressional investigation and drastic remedial action so that America may be made safe for democracy.

Klu Klux Klan - 1936

Missouri.

15 in Black Band Held; Kansas City Plot Bared

Fascist Gang Claims 800 Members in Big Industry Plants

KANSAS CITY, Missouri, June 17. —Startling evidence of the existence of a band of the Black Legion in this city numbering over 800 members was told here today following threats on the life of a prominent Kansas City minister, Dr. L. M. Birkhead.

"This is the Black Legion. You had better lay off or we are going to get you!" was the wording of one of the telephone threats received recently by Dr. Birkhead. Actual proof of the Black Legion's existence in the city was received from a worker (his identity is being held secret because he fears that local police would offer him no protection) who was approached for membership in the legion. Intending to join, the worker refused when the real character of the legion was exposed in the Michigan disclosures.

At the present time he greatly fears for his life because he has been informed: "If you don't join we are going to take you for a ride."

According to information received thus far the legion is operating mainly in an industrial section of the city that includes the Ford Motor and the Sheffield Steel plants. The fascist band is reported to number 800, all of whom have signed the Black Legion oath in blood taken from the lobe of their

Shortly after he began his investigation Dr. Birkhead received a letter, headed "Crusader White Shirts, Chattanooga, Tenn." The letter was mailed from this city however, and informed Birkhead that the Midwest headquarters of the Crusaders' White Shirts (American Fascists) was located here.

His investigation has convinced Birkhead that seven different fascist and Nazi organizations are operating in the city. They are, the Crusader White Shirts (military auxiliary of the American Fascists), the Black Shirts, the Friends of New Germany, the Silver Shirts, the Sentinels of the Republic, the Christian Vigilantes and the German-American Citizens.

Klu Klux Klan - 1936

New York

KLAN'S THOUSANDS TOTAL ONLY FIFTY

But Kleagle Insists, in Face of Skepticism, That Meeting Near Peekskill Is Success.

ASSAULT WARRANT ISSUED

N.Y. Times

Chemist Says He Was Punched When He Stopped His Car in Passing Demonstration.

N.Y

From a Staff Correspondent

PEEKSKILL, N. Y., Sept. 6.—A John Doe warrant was issued today for an unidentified person attending the demonstration of the knights and women of the Ku Klux Klan near here charging third degree assault.

9/7/36.

The man who charged that he had been assaulted was Morris Schiffman, chemist, of New York City and the owner of a Summer cottage on Lake Mohegan, about three miles from the scene of the meeting. His efforts to identify his assailant, however, had not produced any result.

He told Justice of the Peace Enu Brown in Lake Mohegan, who issued the warrant, that while driving by the meeting last night with his family he had stopped at the gate and asked the klansmen on duty there if a cross would be burned. He was about to drive on, Schiffman said, when some man stepped out and struck him on the nose. He bore marks of the blow.

Protests Against Meeting

This was the only instance of the violence that the residents of Peekskill and Cortlandt Township had expected to result from the demonstration. The Rev. Francis X. Doyle of Verplanck, pastor of St. Patrick's Roman Catholic Church, and Seymour Levine, an attorney of Peekskill, had protested the meeting so strenuously that in a last minute shift, the klansmen moved into the neighboring township of Yorktown.

There, with an American flag and the klan flag—a white rectangle with a blue square in the upper left corner in which was a red cross, fluttering in front of a faded tent that bore the legend "office," a handful of the knights and women struggled bravely to keep their chins up in the face of the combined forces of antagonism and neglect. Nowhere in sight were the crowds of two and three thousand predicted by Major Anderson, the kleagle of Westchester and Putnam Counties, who still insisted on withholding his first name. At the most, about fifty persons were seated in cars around the field or wandering to and fro in the garb of the organization. The major himself wore a uniform more distinctive than the rest, a sky blue cassock, with a blue cape lined with red. He was constantly throwing his cape back the better to manipulate his cigar.

Women Wear Uniforms

He explained that the most of those present were from the Lake Mahopac Klan, which has both men and women members. The women, in white skirts with red-lined capes, and no uniform type of headdress, attended soft drink and hot dog stands that did small business.

The only two persons on the field who were identified were Major Anderson and Grand Dragon H. W. Garing of Long Island, in charge of the Klan State organization.

Under a tree by the office tent a woman sat at a typewriter making out a list of names and writing numbers opposite them. When the major wanted to call someone he referred hurriedly to this list and shouted out "number five." A man, apparently without a number, described himself as a clergyman.

A three-foot cross studded with red lights was supported by an iron pipe. Not far from it was another cross made of two saplings.

The major insisted that things were moving well. "We've gotten eighty-two new members," the major exulted. Every new member is required to put up $10. The police of Yorktownship, who were constantly in attendance, were skeptical. "There hasn't been that many people here," Policeman Earl Hawks said.

KLAN SESSION OPEN AFTER HASTY MOVE

Fiery Cross Barred, 'Delegates' Quit Cortlandt Township for Yorktown Field.

DEPUTIES STAND WATCH

N.Y. Times

50 at First Meeting Are Minus Robes—They Seek to 'Warn' America of Communism.

N.Y. 9/6/36

From a Staff Correspondent.

PEEKSKILL, N. Y., Sept. 5.—The Ku Klux Klan gathered near here today for its first public meeting in this locality since 1931 and the session opened after a hasty switch from Cortlandt township to a vacant field in adjacent Yorktown township had been made to avoid possible violence.

Another reason for the change of meeting places, which was not announced publicly until after it had been accomplished, was that the Town Council of Cortlandt township on Thursday had passed, as an emergency measure, an ordinance which forbade fiery demonstrations of any kind after dark. This, naturally, outlawed the cross-burning ritual which will go on now for three nights.

Since there is nothing in the law forbidding a meeting of any kind on private property which is leased for the occasion, the officials of Yorktown township, even if they had wanted to do anything about it, were caught unawares. With twenty Westchester County Deputy Sheriffs equipped with arms held in readiness not far from the field in the event of trouble, a three-day demonstration for the "advancement of Klankraft" and the enrollment of new members was begun.

"Major Anderson" in Charge

A Major Anderson—he declined to give his first name and address but who described himself as a Kleagle in charge of Westchester and Putnam Counties—was in charge of the demonstration. The change in sites caused the abandonment of a scheduled afternoon program of athletic contests but there were fewer than fifty persons on the grounds in any event. The chief speaker at tonight's session, which was to end with the burning of the fiery cross, was to be Grand Dragon H. W. Garing, in charge of the klan in New York State.

The sessions will go on tomorrow and through Monday, which Major Anderson predicted would be the biggest day.

Many of those in attendance this afternoon were in attire half civilian and half military. They wore the boots and breeches of an officer of the United States Army, with civilian attire completing their costumes. The robes and tall white helmets were reserved for the evening sessions.

Would Fight Communism

The avowed purpose of the organization in beginning a campaign for membership is to warn all Americans of the dangers of communism and to rally them to an organization which will fight it militantly, but in a "wholly legal way," to quote the major.

From the hill on which the meetings will be held the two armed crosses to be fired each night will be visible from a Summer colony which is locally described as a "hotbed of communism." Hessian Hills School, an outpost of progressivism, also is not far away.

"Were you aware of these things when this site was chosen?" the major was asked.

"We did not give it a thought," he answered.

He probably did not, at that. The reason for moving from the announced site on Lafayette Avenue in Peekskill to the neighboring township was not Communists but Catholics. Four miles from Peekskill is the Village of Verplanck, the birthplace of Supreme Court Justice William F. Bleakley, possible Republican candidate for Governor. Verplanck is entirely Irish Catholic, except for a few Italians and Negroes.

On the day after election in 1928 when Alfred E. Smith was defeated, a group of Peekskill Klansmen led by one Fred Gamble marched down to Verplanck and are said to have attacked some townsmen. There followed a fight in which nearly the whole town was embroiled and Gamble received an extremely severe beating which caused him to spend months in a hospital. He had a garage which was thereafter boycotted by Catholics and Protestants of Peekskill alike. His business died and he moved away.

In 1931 the klan attempted a meeting. There was another miniature riot when the Catholics of Verplanck marched to it and brought it to an end. From that time the klan in this section had been so quiescent as to be generally believed dead.

This was the background that caused the Rev. Francis X. Doyle, pastor of St. Patrick's Roman Catholic Church in Verplanck, to make demands that the meeting on Lafayette Avenue be prevented. Action by the town council followed.

Ku Klux Klan—1936

North Carolina

North Carolina Jury Begins Probe Of Night-Riding Women-Floggers

WILMINGTON, N. C., June 29.—(AP)—A Columbus county grand jury began attempts today to pierce the reticence of reprisal-fearing victims of a band of night-riding women-floggers while Solicitor J. J. Burney announced a "war to the death" against the secret group operating, he said, under a "law and order" pretext.

Foreman Hackett Applewhite, directing the grand jury investigation, said fear of the victims was hindering the inquiry, but "some progress" had been made.

He said 30 witnesses had been questioned and 30 more were to be questioned.

The floggings and other mistreatment began seven months ago, he said, in a part of Columbus county in or near the town of Clarendon, near the South Carolina line.

Applewhite said all the victims told him members of the mob flogged them because the victims "were undesirable and are not wanted in this section."

Applewhite said the Clarendon area had a reputation for its lawlessness and that "many criminals" frequently came from there. He said the victims told him that the floggers asserted they would uphold law and order and "rid this place of undesirables."

The nocturnal activities in the remote area were revealed last week during the trial of Pink King on charges of criminal assault on the 15-year-old daughter of Bertha Fowler. He was acquitted but later was charged with a lesser offense.

During the proceedings, Mrs. Fowler refused to take off her hat and when she was forced to do so by court order, her head was revealed to have been shaved. Judge Hunt immediately directed an investigation of the alleged guilty parties.

During King's trial, the nine-year-old brother of the attacked girl was disqualified as a witness when he said he had never heard of Christ or God. Applewhite pointed toward this as proof that the isolated section was "an ideal place for intimidation and wholesale depredation."

Wilmington Grand Jury Hears 30 Witnesses on Floggings of Women by Night-Riders.

DETROIT, June 29 (AP).—Dayton Dean pleaded guilty today to the Black Legion murder which brought to light the existence of the terrorist organization.

Appearing before Circuit Judge Joseph A. Moynihan, the Legion "executioner" said formally that he had kidnapped and slain Charles A. Poole, young WPA worker, the night of May 12.

"Why are you pleading guilty?" the court asked.

"Because I am guilty," Dean said.

Theh reply of the burly former city employe was given in a firm voice, but the calm manner in which he accused twelve others two weeks ago of participating in the slaying was missing.

Dean confessed soon after his arrest that he shot Poole to death in the presence of other Black Legion members who accused Poole, a non-member, of beating his wife. The accusation was found to be false.

Dean's accounts of death plots against political foes of the night riders, of floggings and of "torch squads" sent out to burn the homes of men the Legion suspected of being Communists, have led to the arrest of nearly fifty men who are held for trial on charges ranging from assault to murder.

WILMINGTON, N. C., June 29 (AP).—A Columbus County grand jury began attempts today to pierce the reticence of reprisal-fearing victims of a band of night-riding women-floggers while Solicitor J. J. Burney announced a "war to the death" against the secret group.

Hackett Applewhite, foreman of the grand jury investigating activities of the masked night-riders, said fear of the victims was hindering the inquiry, but that "some progress" had been made. He said thirty witnesses had been questioned and that thirty more were to be questioned.

The floggings began seven months ago, Mr. Applewhite said, in a part of Columbus County in or near the town of Clarendon.

Mr. Applewhite said he had obtained the names of three alleged floggers and that victims told him that members of the mob flogged them because the "were not wanted in this section."

Mr. Applewhite said the Clarendon area had a reputation of lawlessness and that "many criminals" frequently came from there. He said the victims told him that the floggers asserted they would uphold law and order.

ADMITS SLAYING BY BLACK LEGION

'Executioner' Pleads Guilty in Detroit Court to Shooting Young PWA Worker.

CAROLINA INQUIRY PRESSED

PREACHER IS ACCUSED OF LEADING FLOGGERS

WILMINGTON, N. C., July 1.—(AP)—The Star-News printed today a graphic story of vigilantes' flogging of "undesirables" in near-by Columbus county under a slogan "Change or Kill" as the confession of a self-styled member of the hooded band.

The paper said its informant, whose name was withheld because he feared his revelations would put him in "peril of death," named a preacher, a merchant, and three women as leaders of the group accused of at least six floggings in the remote Beaver Dam community a few miles from the South Carolina line.

Solicitor J. J. Burney declined comment. Asked if he would seek a special session of the grand jury, which does not convene again until August, he replied:

"The evidence in hand at this time is too slim to warrant immediate action."

The Star-News said the alleged flogger confessed in the presence of his attorney and a representative of the paper that he and 10 other persons were members of the "vigilantes," organized under the leadership of the preacher, merchant and three women to "clean up" the Beaver Dam community.

FLOGGING INQUIRY WILL BE PRESSED

Alleged Acts of Violence in North Carolina Region Reported to Sheriff

SOUTHPORT, N. C., Dec. 17. (AP) The sheriff's office pushed an investigation today into the reported night-riding activities of a band of "praying floggers" in the Waccamaw river region of Brunswick and Columbus counties.

Sheriff J. A. Russ of Brunswick county said William Inman and Jesse Cox, both of Friedland, reported that they were seized a few weeks ago, driven six miles from their homes, and flogged by a masked band of 25 or 30 men.

Sheriff Russ said there had been rumors of other floggings in the community and that other residents had received warnings to "mend their ways."

He quoted Inman and Cox as saying that after they were flogged the leader of the band, who was called "judge," and the others knelt in prayer.

The section in which the reported floggings took place is adjacent to Columbus county, where a half dozen floggings were reported a few months ago.

Four women who said they were flogged by the night riders were indicted by the Columbus grand jury and sentenced to prison terms on charges of prostitution.

U. S. Aid Asked In Campaign On 'Praying' Gang

SOUTHPORT, N. C., Dec. 18.—(AP)—A threatening note signed "KKK" lead Brunswick County officers today to hope for Federal assistance in breaking up sporadic activities of a band of hooded nightriders, reported to have capped off their floggings by joining in prayer.

Sheriff J. A. Russ said he had asked government agents to investigate the sending of the note by mail to Jarvis Inman, 22-year-old Freeland filling station operator, a cousin of William Inman who reported that he and a neighbor Jesse Cox, had been lashed and warned to "mend your ways," by 25 or 30 men who then held a "prayer meeting."

The note, Russ said, told Inman there were certain "things you must do," or "we will get you." It was postmarked at Freeland, he added, although the note paper was headed "Little River, S. C."

Previously Russ had expressed the opinion that the night riders made their headquarters across the State line in Horry County, South Carolina, although most of their alleged nocturnal raids have been reported from Brunswick and Columbus Counties in this State.

The note to Inman, Russ said, was dated Dec. 5. On the same day, he continued, a message of similar import was left on the door of Herby King, another Freeland man.

Russ said he assumed that the signature "KKK" was intended to make the potential victims believe the warning had come from the Ku Klux Klan, although no activities of that organization have been reported hereabouts in recent years.

Klu Klux Klan-1936

North Carolina.

NEW METHOD OF CLEANSING

Bands of floggers have been busy in North Carolina recently, ostensibly to raise the moral standards of various communities.

A preacher of Whiteville, N. C., on being informed that he had been accused of leading one of the bands declared that the accusation was "the most honorable thing that has ever been bestowed on me." In the course of his Sunday sermon the preacher, the Rev. George R. Hunt, urged his congregation to cleanse the community of "undesirables."

The preacher approved of the bands that have been flogging men and women whom the self-appointed judges have decided are unfit to live in the various communities.

If the bands of floggers succeed in "cleansing" the community of Whiteville, will not the Rev. Hunt be out of a job?

Klu Klux Klan-1936

Ohio.

OHIO CRIMES LAID TO BLACK LEGION

Legislative Inquiry Linked Threat to the Governor's Daughter to 'Riders.'

ROADHOUSE WAS BURNED

Member Said to Have Boasted of It—Movie Film Seized, Strike Instigated, It Is Charged.

COLUMBUS, May 27 (AP).—A report of three official investigators connecting the Black Legion with acts of violence in Ohio and blaming the hooded order for threats to kidnap a daughter of Governor Davey was made public today by State Representative H. T. Phillips.

The nivestigators, Charles J. Skill and Claud L. Recker of Columbus and Hubert J. Schwartz of Cleveland, aided a legislative committee which investigated relief administration in Allen County (Lima) a year ago.

The report, made to the committee but never submitted to the Legislature, was released on the heels of action by authorities over the State to connect various acts of violence with the night riders.

Meetings of the legion, the investigators said, were usually held "from 1 A. M. until daylight in an open field in the country."

"We obtained the statements of two men who had been officers of the orginaztion," the investigators said. "They told where the meetings had been held and said one of the leaders bragged about burning down Twin Oaks roadhouse (near Lima) and that he was ordered to burn another roadhouse."

Governor Revealed Threats

The State investigators said their informants declared the organization was "suspicioned * * * of the threats against Governor Davey's daughter."

The Governor disclosed more than a year ago that threats had been made to kidnap his daughter, but he did not order an investigation.

Other acts charged to the legion by informants of the three investigators were the seizure of a motion picture film from a Lima theater, the beating of a man who was generally believed to have been hit by a freight train, and instigation of a Northwsetern Ohio onion strike.

"We received estimates that 82 per cent of the Allen County relief administrative department, as well as the works division employes, were members of the organization," they said.

Their report mentioned also the alleged attack on William Smith, a 55-year-old Waynesfield farmer, and said that he was severely beaten because he was unwilling to join the night-riders.

Sheriff W. E. Kelley of Auglaize County said he reported the attack on Smith, an unwilling candidate for membership in the black legion, to the Federal Bureau of Investigation, but in Washington spokesmen for the G men said they had no record of the case.

Ohio Relief Linked to "Legion"

A member of the Black Legion told a legislative investigating committee last July that its members swore to kill their enemies "if necessary."

The testimony was that of George Armstrong, Lima relief worker, in a hearing at Lima July 23. He was questioned by former State Senator Ruff of Canton and Dennis Dunlavy, former Ashtabula County prosecuting attorney, as counsel for the committee.

Portions of the testimony follow:

Q.—I don't know if you want to answer me on this proposition, but did you become a member of what is known as the "Black Legion?" A.—I did.

Q.—And did you take that oath of the Black Legion, to tell a lie if necessary to support some of your members? A.—I did.

Q.—Did you swear to the fact that you would swear to a lie if necessary? A.—I did.

Q.—Now, was that organization connected with, lined up with relief in this county? A.—It was.

Q.—Now, was that organization connected with the relief organization in Allen County? A.—I have heard in meetings time upon time here, Mr. Effinger, Bert Effinger, say he would control the old postoffice, his organization would, so far as the employes are concerned.

Q.—What was the old postoffice? The relief office? A.—The Federal relief office.

Q.—And did he hold some position in this relief set-up? A.—He didn't.

Q.—Was he a foreman on some of the projects? A.—He was not.

Q.—What evidence did you observe of his control? A.—Members being placed as foremen over other men. We tried to get in all foremen in places where they weren't members of the organization.

Q.—You mean to say that members of this organization, where they swear to lie if necessary to protect a brother, that they controlled the foremen on various jobs? A.—I do.

Q.—Do they swear in that organization an oath to kill their enemies if necessary? A.—They do.

Q.—And who are their enemies? A.—Well, any one that would oppose them.

Q.—You never heard of anybody getting killed, did you? A.—I am not saying as to that.

Q.—I don't want to go too far in this committee, but I want to know if there were some members in control of the relief work in this county that were members of that organization and took that kind of oath that you have just described. A.—Absolutely.